



HOW ROD BLAGOJEVICH MANIPULATED THE MEDIA BEFORE, DURING AND AFTER HIS FEDERAL TRIALS

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How Rod Blagojevich Manipulated the Media Before, During and After His Federal Trials

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From the day he was arrested in late 2008, Illinois Gov. Rod Blagojevich had been making national headlines. Accused of various corruption charges, including conspiracy to commit mail, wire fraud and solicitation of bribery, the disgraced leader did not shy from the media spotlight. The more the news spread about the audacity and the magnitude of the crimes he had allegedly committed -- including attempting to sell the vacated Senate seat of President Barack Obama for political gain -- the more fascinated it seemed the media became in covering his shenanigans.

For three years, Blagojevich was seemingly everywhere. He was interviewed on morning talk shows, radio programs and satire news programs. He was even cast on the reality show, "The Celebrity Apprentice." Two federal trials followed with extensive media coverage. The end result was of Blagojevich being found guilty on 17 counts and sentenced to 14 years in prison.

The case of Blagojevich included all the makings of a political scandal. A scandal is one that breaks norms or moral codes, includes actions that occur behind closed doors, arouse offense and indignation among that who learn about them, is revealed by one or more individuals who publicly express their disapproval and also potentially damages the reputation of the individual who committed the transgression (Thompson, 2000, 11-13, 90-96).

The constant and charismatic presence of Blagojevich in the media during his political downfall represents his attempt to portray his legal defense strategy in the public realm. Blagojevich used a similar context in each of his interviews to get a

certain message across. The case study of Blagojevich also deals with the media industry and its attempt to cover and update a story of public and political interest for its reading and viewing audiences. Through a detailed content analysis of the news stories produced before, during and after Blagojevich's eventual fall from grace, I expect to show how the governor attempted to take advantage of his position in hopes of advancing his chances of an acquittal.

Literature Review

The political environment in Illinois has a predisposition known to breed corruption, even though it is also known as the home state of honest Abraham Lincoln. Illinois has a tradition of "pay to play" politics, where money is exchanged for services or the privilege to engage in certain activities (Thomas, 2008, 30). This fact and others like it have contributed to a political society that has consistently produced politicians behaving badly. According to a study conducted by the University of Illinois at Chicago, the city of Chicago has the most public corruption convictions of any city in the United States. From 1976 to 2012, 1,531 convictions have been handed down in the Northern District of Illinois. Illinois as a state logged 1,821, the third most of any state, according to the report. Among those convictions statewide are four governors, two congressmen, a state treasurer, an attorney general, 11 state legislators, numerous judges and dozens of aldermen (Dardick, 2012, 1). Many of these crimes included extortion, racketeering, money laundering and other white-collar crimes where the corrupted official used the position of power to engage in illegal activity for political gain.

In politics, the media play an important role in exposing political scandals. While journalism is a driving force in the pursuit of truth, it also creates an opportunity for an audience to assemble. In the scrutinizing and publishing of political wrongdoings, the media also creates a stage because scandal coverage is not only about disclosure. It is also about dramatization, storytelling and character attractions shown in the fantastic fashion of television reports, radio news bulletins and front-page headlines (Ekstrom and Johansson, 2008, 63).

Blagojevich's case before the federal court was sensationalized from the moment he was arrested. U.S. District Attorney Patrick Fitzgerald told reporters he stepped in to stop a "crime spree" in the governor's office that would make, "Lincoln roll over in his grave" (Thomas, 2008, 30). . The emphasis on the quote or the sound byte in news coverage is a technique that is used to present or represent another official voice, allowing talk to communicate in text and different quoting techniques to manipulate utterances into headlines and dramatized news stories (Ekstrom and Johansson, 2008, 65). Fitzgerald's quote is an example of such a sound byte, because it draws the audience into the news story. It is also important to point out that Fitzgerald later showed regret for his "Lincoln" quote, because of the reaction he received after that press conference.

Staged talk and interaction come in many different media formats -- talk shows, television and radio news shows, radio call-in programs and the Internet. Thanks to the large amounts of information available online, the mass media have the potential to play a crucial role as a watchdog that can alert the public to any misdeed that a politician is participating in. The level of attention that Americans pay to political news correlates

with the report of how frequently they vote, whether they vote in a recent national election, and whether they even claim to be registered to vote (Bennett, Rhine and Flickinger, 2004, 95). How much voters know about what is going on in the political world around them can have lasting effects on who is elected to public office.

Blagojevich learned early on in his political career how to use the press to his advantage. As a congressman, he was trying to find a way to raise his visibility in the eye of the public when he learned that there was a plan to ship an outdated load of jellied gasoline across northeastern Illinois and the South Side of Chicago to a disposal facility in northwestern Indiana. In an effective move, Blagojevich called a press conference on a South Side railroad overpass to declare that as long as he remained in Congress, no one was going to ship lethal explosives across Illinois (McCarron 2011, 2). Blagojevich knew his words and the image of the shipment created the kind of message that would likely tip voters in his favor.

Themes Used in Blagojevich's Media Interviews 2008-2011

A media blitz is often used by the press to describe a public official's campaign where he or she appears on several staged talk formats. During his first blitz following his indictment, Blagojevich appeared on a rapid-fire succession of interviews in New York City. A number of those interviews were conducted on the cable network news FOX News. Blagojevich declared his innocence and explained that he had no intention of resigning or bargaining with state lawmakers to keep his job.

The media outlets Blagojevich used in his media exploits were also carefully crafted to promote his message. A consistent theme throughout the Blagojevich

impeachment proceedings and trials was one of complete innocence and utter denial. Days before his arrest, the *Chicago Tribune* reported that Blagojevich was the subject of a wiretapping by the federal government as part of a long-term investigation into state corruption. Blagojevich responded by telling reporters he had nothing to hide. “If anybody wants to tape my conversations, go right ahead... I don’t believe there’s any cloud that hangs over me. I think there’s nothing but sunshine hanging over me” he boasted (Thomas, 2008, 31).

What was released by the U.S. Attorney’s office told a different story than the one Blagojevich had tried to spin, and Blagojevich’s own words depicted a public official who was apparently not only crass but unrelenting in his efforts to gain the upper hand in political dealings. According to a transcript of the federal wiretap, Blagojevich said, “I want to make money” and tried to shake down an official at a children’s hospital by threatening to withhold millions in pediatric care funding until the official donated \$50,000 to Blagojevich’s campaign fund. On selling Obama’s former Senate seat, Blagojevich reportedly said, “I’ve got this thing. It’s (expletive deleted) golden... I’m not just giving it up for (expletive deleted) nothing. I’m not going to do it.”

If no one wanted to pay what he believed it was worth, then Blagojevich would use it himself as a launching pad to a more powerful position in government as U. S. Senator. “And, I can always use it. I can parachute me in there,” he said in a phone conversation to an aide, as taped by the FBI transcript. On Obama and his aides not willing to play ball with Blagojevich: “They’re not willing to give me anything except appreciation. [Expletive] them” (Thomas, 2008, 31). The thought that a governor of a state would attempt such a grandiose action designed for personal gain is shocking and

has the potential to pull an audience in to learn more about what and why this happened.

Blagojevich not only denied any wrongdoing; he vehemently declared his innocence. Instead of trying to save his job after his arrest, the governor worked the media angle to gain public favor because he recognized that his only shot of an acquittal was winning favor with potential jurors. Blagojevich told FOX News Radio's Alan Colmes that his decision to steer clear of his impeachment decision was because he did not believe his presence would matter. "I'm under no illusions. I don't have a strong expectation that this will change their minds," he said, later even joking: "I guess I can get my old job as a pizza driver back" (FOX News 2009, 3). The humor in a politician coming back as a pizza deliveryman is another attempt to deflect attention from the crime he committed and instead represent a softer image in the eye of the viewing audience.

Blagojevich maintained his innocence during every interview, and he claimed to be the scapegoat of a political witch-hunt. "I haven't done anything wrong. I haven't committed any crimes," he told FOX News' "Strategy Room." "They're trying to run me out of town (FOX News 2009, 3). The governor also used passive means to paint himself as the victim. Blagojevich and his legal team used a series of court filings asking for permission from the U.S. District Court to make available all the hours of wiretap recordings the federal government used to build its case against Blagojevich's corruption. "The prosecution has manipulated the judicial system to obtain an unfair advantage in this case," the motion read. "The prosecution held a sensational news conference, lobbed outrageous false allegations and then released more snippets of

conversation, out of context, that poisoned the jury pool (and arguably the country) against Governor Blagojevich” (Mosk, 2011, 2).

Strategy

Blagojevich and his lawyers had attempted to show that the federal prosecutors built their case by selectively releasing wiretap recordings while omitting the information that would exonerate the governor from wrongdoing. The defense team also alleged that by preventing the tapes to be released, the prosecution has only, “served to permit the government to present half-truths and distortions and has handicapped Blagojevich’s ability to fight back against the false government allegations and set the records straight” (Mosk, 2011, 2). The defense team for Blagojevich wanted the 100 hours of telephone wiretaps played because they wanted to show a verbal, stream-of-consciousness thinking, and that Blagojevich never commit the schemes he discussed.

Analysts saw how effective a strategy this could be. Andrew Stollmann, a Chicago securities attorney, said the media blitz could aid this defense. “He’s seen as a loose cannon, as a guy who says what’s on his mind. There are going to be some jurors who say that doesn’t rise to the level of a criminal offense” (Guarino, 2010, 1). On each platform he was seen alleging that if the prosecutors played the wiretap recordings in their entirety, the evidence as a whole would vindicate him.

“This prosecution has gone from a prosecution to a persecution,” Blagojevich told CNN, “and in spite of them putting their case on and all their resources that they have, and in spite of the fact that we didn’t even put a defense on because we didn’t want to get credence over their charges, they failed to prove a single charge of corruption”

(WLS Chicago, 2010, 3). Judge Andrew Napolitano is a senior legal analyst on FOX News who suggested that Blagojevich's motives for media attention were about striking while the iron is not only hot but while the media is willing to give a platform to him. "The governor has given up on being governor... I think for the governor, it is his thinking that he is not going to be able to get the attention that he is now getting next week... He's hoping he can get his story out there in a sympathetic way and maybe he stands a chance," with the jurors (Ibid). Blagojevich pointed out flaws he believed he could use against the U.S. District Attorney's office in hopes of dismantling the case against him.

With these quotes and sound bytes, Blagojevich planned to show his innocence by admitting to what was seemingly most wrong with his case and why Blagojevich thought he was being persecuted would be explained in subsequent interviews. During his second major media blitz, the former governor continued to seem defiant, thanking the lone juror for keeping him from being convicted of all 24 counts against him. He also downplayed his conviction on lying to the FBI, shifting blame again to the prosecution for wasting tax money on obtaining a "political trophy." "Someone should ask this prosecutor exactly how much money did he spend of the taxpayers' money," Blagojevich said on NBC's "Today Show Friday Morning." "And he failed to convict me of any corruption charges. There's a false statement they allege I made five years ago. That isn't true. I didn't lie to the FBI" (USA Today, 2010, 4). Here, again, by shifting blame he presented other plausible explanations in hopes of creating enough reasonable doubt for his acquittal.

Still, Blagojevich's self-portrayal of a martyr kept within the former governor's attempt to stay out of prison. In the days leading up to his impeachment, Blagojevich

gave examples and compared himself to legendary humanitarian and civil rights leaders. “I thought about (Nelson) Mandela, Martin Luther King (Jr.), and Gandhi, and tried to put some perspective to all this and that is what I am doing now” (Weiner, 2009, 1). Blagojevich knew how to get the media’s attention, and how to hold it long enough to garner interest.

Media Reaction to Blitz and Unconventional Media

Many media outlets clamored for Blagojevich to come on the air, offering chances to “clear his own name” for example, on CBS’s “Early Show,” where a private space to keep him away from the rest of the media was put into place at his convenience. Pat Curry, the news assignment editor for local Chicago station WGN, requested that press secretary Lucio Guerrero come on and deliver a different kind of message. In an email requesting an interview, Curry wrote that he would not expect Guerrero to comment on a federal investigation, instead during the interview Guerrero could “easily brush that off” (Cook, 2009, 1). At times, and especially in national market news when news media are competing with each other for exclusive material, news organizations may produce stories out of haste, in hopes of getting the news out ahead of a rival (Step, 2001, 3).

But the governor did not just target interviews on traditional radio and television news programs. After his first trial ended, Blagojevich appeared on Comedy Central’s “The Daily Show with Jon Stewart.” His resurgence in the media spotlight came a week after a nearly deadlocked jury convicted him of one charge of lying to the FBI. Blagojevich began the interview with his same message of proclaimed innocence and

called into question what he considered to be a weak case against him. "You're a guy that's the most adamant about his innocence of anyone I ever met, so you're either the victim of a terrible persecution or you're a sociopath. I want to believe you are not a sociopath, so you have to come out -- and not on talk shows -- in a court of law, and clear your name," said host Jon Stewart (USA Today, 2010, 2).

On "The Daily Show" episode, Blagojevich said nine of the witnesses who testified for the federal government had either admitted committing crimes or had been found guilty and were vulnerable to their own prosecution. Still, while the former governor moved from interview to interview, public appearance to yet another public appearance, he painted himself as a martyr, trumpeted his own innocence and attempted to corrupt the legal process by trying his case in the court of public opinion.

Blagojevich's actions outside the court also pointed to how he attempted to portray a certain image. He appeared at Comic Con to sign autographs and pose for pictures. Fans would have to pay for the photo ops and penmanship this time around, as Blagojevich had explained that he needed the money. A key organizer for the event told WLS TV in Chicago that "Wizard World Chicago Comic Con is all about pop culture, and Rod Blagojevich is as relevant to today's news as it gets" (WLS, 2010, 6).

Blagojevich was not just the typical politico caught up in a plot of greed and selfish misdeeds; he was also a sought-after commodity in society because his presence could sell.

Effect on Court Proceedings

The amount of attention that the trial was receiving caused concern for the federal prosecutors who asked for a gag order on Blagojevich to stop his offering opinions on court matters during interviews. “In the weeks immediately preceding the trial, defendant Rod Blagojevich and his counsel ... have appeared on radio and television shows, and were quoted in numerous news articles, making statements that ventured into areas the Court had precluded from being addressed before the jury,” said the filing (Korecki, 2010, 1). However, the attempt was unsuccessful. Judge Zagel reviewed the prosecution but refused to put in place a gag order. The judge did voice his concerns on the matter: “It is an appeal to sympathy, which is something you are not permitted to do with the jury,” Zagel said. “I do have concerns” he said (Korecki and Ostman, 2010, 1).

Blagojevich would later admit his intent inside the courtroom but only after he was convicted and called out on his actions. During his sentencing hearing, which occurred exactly three years after his arrest, U.S. District Judge Zagel commented on Blagojevich’s behavior in the media. Zagel had denied Blagojevich’s request to leave the country to appear on the television program taped in Costa Rica. The show was a reality television program called “I’m a Celebrity!... Get Me Outta Here.” The judge told Blagojevich’s attorney that Blagojevich knowingly used reality television as a platform to portray his legal battle as a duel or boxing match between himself and the U.S. Attorney. The judge continued, adding that the former governor had disrespected the judicial process through his actions (Lewis, 2011, 2).

When it was Blagojevich's turn to speak during his sentencing hearing, he did not seem to make excuses. "I was very keen on your comments that I viewed as a duel or a boxing match," he reportedly told the judge. "I saw it exactly that way... I should have known better, It was childish and not productive" (Lewis, 2012, 2).

Summary/Conclusion

After the trials were over, Blagojevich told the media that he did learn one lesson. "Among the many lessons that I've learned from this whole experience is to try to speak a little bit less," he said (*New York Times*, 2011, 2). In politics, officials may wish to communicate directly with voters about certain platforms or issues of interest, but most do not want to advertise their wrongdoings. Politicians are participants in the exercise of authority, and political scandals are considered closely related to the increased visibility of political leaders (Thompson, 2000, 31-33). For Blagojevich, a media blitz presented an opportunity to control the message he wanted to present in the public.

Blagojevich's sit-down interviews and media attempts to try his case first in the public arena ended up costing him. Blagojevich's attitude and behavior before, during and after his legal battle may have had everlasting repercussion, possibly even beyond his sentence term. "When it is the governor who goes bad, the fabric of Illinois is torn, disfigured and not easily repaired," said Judge Zagel. "The harm here is not measured in the value of money and property. The harm is in the erosion of the public trust in government" (Cottle, 2011, 6).

The media's obligation to its public, the politician's position in the public gaze and media spotlight, and the extent of media's reach in western society all created a realm

for Blagojevich to position himself and his legal situation in a way he believed would best benefit him. Still, if his motive was just to grab the public's attention, then he succeeded. The media have continued to cover the governor's fall from grace, reporting live from his house for a press conference the night before Blagojevich was to report to federal prison, analyzing his wife's dissatisfied Tweets about a separate but related corruption trial, covering Blagojevich's new job as a dishwasher in prison and releasing his new attempts at an appeal. Another September 2012 headline in the *Huffington Post* explained how Blagojevich was so "bored" in prison that he decided to write a letter to a fellow inmate's son urging him to stay out of politics. The same article also details how the governor wrote an email to his wife for their anniversary (*Huffington Post*, 2012, 1). The media have been there every step of the way logging in the latest details of the Blagojevich saga. The governor is still considered newsworthy no matter what he does, and he will likely to continue to catch the media's attention (if he can get access). Or perhaps, he never meant to speak a little less, like he claimed, because there is always someone in the media willing to listen to him.

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