

# Media Coverage is Focus of Forum on DSK Arrest

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Unique perspectives on gender, the law and the media were offered at the March 15 Chancellor's Forum "The Arrest of Dominique Strauss-Kahn: A Comparative Study of French and U.S. Law and the Media."

Strauss-Kahn, former director of the International Monetary Fund and Socialist party candidate for the French presidency, was arrested and charged with sexually assaulting a hotel maid in New York City in May 2011. The charges were subsequently dropped.

Panelists included Emilie Lounsberry, a reporter for The Philadelphia Inquirer; Professor Irène Théry, a sociologist with École des Hautes Études en Sciences Sociales; and Michelle Madden Dempsey, associate professor at Villanova University School of Law. The panel was moderated by Philadelphia Court of Common Pleas Judge Gary S. Glazer.

The event was co-sponsored by the Institut des Hautes Études sur la Justice, Paris; the International Law Committee; and International Law Society of Villanova University School of Law.

Lounsberry, also an assistant professor at The College of New Jersey, began with a presentation on the intersection of sex, gender and law in the news media, highlighting the significant international media attention garnered by Strauss-Kahn's arrest. News stories involving allegations of sexual abuse and rape are often difficult for the U.S. news media because reporters have the freedom of press, but also the responsibility to be fair to both the victim and the accused. Fair reporting in the Strauss-Kahn case was important because of the sexual nature of the crime, the high profile of the accused, the credibility of the victim and its impact on French and U.S. relations.

Next, Professor Théry described France's initial shock at the arrest of Strauss-Kahn and its eventual shift in perception as the news coverage continued. Particularly disturbing to the French people was the media coverage of Strauss-Kahn's arrest and so-called "perp walk" because this portrayal of the accused seemed incongruent with "innocent before proven guilty." As the investigation continued, attitudes in France shifted and were aided by the publication of the 25-page report outlining why the charges were

dismissed, which revealed how the U.S. justice system protects both the victim and the accused.

Professor Théry extrapolated on this idea of fairness and the presumption of innocence for the accused, positing a parallel theory of the “presumption of veracity” for the victim. The presumption of innocence focuses on the facts, whereas the presumption of veracity is grounded in the words or allegations of the victim. Professor Théry argued that this theory does not contradict the presumption of innocence, but in fact compliments it and provides balance in the justice system.

Finally, Michelle Madden Dempsey, associate professor at Villanova University School of Law, presented a critique of the New York City District Attorney’s decision to charge and ultimately release Strauss-Kahn. Dempsey opined that although Strauss Kahn’s “perp walk” as it was portrayed in the media was unfair, the decision to arrest Strauss-Kahn and act quickly was well-grounded. Weighing in favor of the prosecutor’s decision to make an arrest was the unlikelihood of extradition, and also race and class dynamics. By taking the word of the victim, an illiterate African-immigrant housekeeper, the prosecutor demonstrated that no one, not even a powerful man like Strauss-Kahn, was above the law. Dempsey also praised the prosecutor’s diligence in choosing to submit the 25-page dismissal report and explain the basis for its dismissal of the charges, however, Dempsey did criticize the prosecution’s dismissal of the charges, opining that in light of the strong circumstantial evidence a “courageous prosecutor” could have ethically brought this case to trial.

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