

DISRUPTING A CANADIAN PRAIRIE FANTASY AND CONSTRUCTING RACIAL OTHERNESS: AN ANALYSIS OF NEWS MEDIA COVERAGE OF TREVIS SMITH'S CRIMINAL HIV NON- DISCLOSURE CASE

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Abstract. This paper studies how HIV criminalization is portrayed in the mainstream Canadian press by examining news representations of Trevis Smith. Smith's case is the most reported case of criminal HIV non-disclosure in Canadian history. Our analysis is based on a corpus of 271 articles written about Smith between 2005 and 2012. Our analysis shows that coverage of Smith's case is distinct from reportage of other criminal HIV non-disclosure cases because he was a well-known Black athlete playing for the Saskatchewan Roughriders at the time of his criminal charge. We argue that news articles represent Smith as a particular kind of threatening racialized "other" through forms of writing that link crime reporting with sports reporting. Our analysis of headlines and quotation patterns emphasizes how news articles construct Smith as a blameworthy outsider and produce Canada as an imagined white settler nation.

Keywords: HIV; Criminal Law; Racialization; Representation; News Media; Sport

Résumé. Cet article analyse la façon dont la criminalisation du VIH est décrite dans la presse canadienne par l'étude des représentations médiatiques de Trevis Smith. Le cas de Smith est le cas le plus médiatisé de non-divulgation du VIH menant à une poursuite criminelle dans l'histoire du Canada. La recherche est tirée d'une archive de 271 articles rédigés sur Smith entre 2005 et 2012. Cet analyse atteste ceci : la couverture du cas de Smith est distincte du signalement d'autres cas criminels de non-divulgation du VIH parce ce dernier était un athlète noir célèbre qui, au moment de son accusation, était joueur de l'équipe

« Roughriders » de la Saskatchewan. Nous soutenons que les articles de presse conçoivent Smith comme étant une menace et créent son altérité par le biais de formes d'écriture qui relient les chroniques sur les méfaits aux reportages sportifs. Cet analyse des titres et des modèles de citations met l'accent sur la façon dont les rubriques de presse font de Smith un étranger coupable et font du Canada un pays des colons blancs inventé.

Mots clés: loi criminelle ; médias ; racialisation ; représentation ; sport ; VIH

INTRODUCTION

This paper studies how HIV criminalization is reported on in mainstream Canadian newspapers. HIV criminalization refers to the use of the criminal law to respond to people living with HIV who allegedly fail to disclose their HIV-positive status to sexual partners, expose their sexual partners to HIV infection, or transmit HIV. In Canada, people living with HIV can be criminally charged for failing to disclose their HIV-positive status prior to engaging in activities that pose a “realistic possibility” of HIV transmission (R. v. *Mabior*, 2012). HIV criminalization is a global HIV/AIDS policy concern and Canada has been described as a “world leader” in prosecuting people who live with HIV (Cameron 2009:63; Robertson 2016). Canada is also a particularly important jurisdiction for HIV criminalization because Canadian people living with HIV, HIV activists, health providers, lawyers, and social science researchers have expressed concerns about how HIV criminalization results in charges and prosecutions in circumstances of negligible or non-existent HIV transmission risk, is increasingly focused on marginalized people (including racialized men, Indigenous women and women who have experienced intimate partner violence), enhances HIV stigma, and inhibits effective HIV prevention efforts (Mykhalovskiy 2011; O’Byrne, Bryan, and Roy 2013; Adam et al. 2014; Loutfy et al. 2014; Sanders 2014; Patterson et al. 2015; Canadian Coalition to Reform HIV Criminalization 2017; Kesler et al. 2018; Canadian HIV/AIDS Legal Network 2019).

Our focus is news media representations of Trevis Smith, an Alabama born athlete who was playing for the Canadian Football League’s (CFL) Saskatchewan Roughriders when he was charged with aggravated sexual assault for not disclosing his HIV-positive status to two female sexual partners in 2005. Neither woman became HIV-positive as a result of her sexual relationship with Smith. There are important reasons to look closely at the news coverage of Smith’s case. For one, his is the single most reported case of criminal HIV non-disclosure in Canadian history. In all, 271 newspaper articles about Smith’s case were published on the front

pages, sports sections, and crime reports of newspapers across Canada from 2005 to 2012. Furthermore, the troubling forms of representation of Smith's case continue to characterize news of HIV criminalization, especially when cases involve racialized people who come to Canada as immigrants (Kilty and Bogosavljevic 2019). His case is an important opportunity to show how news reports produce defendants in criminal HIV non-disclosure cases as threatening, racialized outsiders, and also, construct the nation of Canada as pure and free of disease.

Our study of news coverage of Trevis Smith's criminal HIV non-disclosure case extends a long line of critical research that has called attention to the troubling ways that mainstream media represent issues related to HIV. Researchers have problematized the often sensationalist character of media that amplify social anxieties about HIV transmission. Analyses show that the media often spread misinformation about HIV and reinforce conceptions of people living with HIV as "dangerous others" (Patton 1986; Watney 1987; Lupton 1994). We are especially interested in adding to studies of the media representation of criminal HIV non-disclosure cases. Studies highlight that news media accounts of criminal HIV non-disclosure cases are particularly problematic in that they are typically reductionist accounts that diminish complex cases to descriptions of "innocent" and "guilty" parties (Lupton 1999; Petty 2005; Weait 2007). Scholarly critiques of media reports of HIV criminalization also demonstrate that media rely on sensational language, reproduce negative stereotypes of offenders, and exaggerate the threat that people living with HIV pose to the general public (Flavin 2000; Patton 2005). This trend has shown to be particularly stark when such cases involve defendants who are immigrants or refugees (Miller 2005; Persson and Newman 2008; McKay et al. 2011; Kilty and Bogosavljevic 2019).

In many ways the news coverage of Trevis Smith exemplifies how news reports about HIV criminalization negatively characterize Black men living with HIV. Most notably, news stories about Trevis Smith are written in what we call "criminal justice time." The concept of criminal justice time reporting calls attention to how news stories are coordinated by the standard sequence of events through which a criminal case proceeds. As we show, news stories about Trevis Smith are published when he is arrested, when bail hearings are held, when people testify in court, and when other developments in the criminal justice system processing of his case occur. Criminal justice time reporting also relies heavily on the language of the criminal justice system to write about people living with HIV. News about HIV criminalization that is written in this way produces a first-order characterization of people living

with HIV as criminals upon which more explicitly racializing forms of representation are built (Mykhalovskiy et al. in press).

While this discursive pattern is present in news coverage of Trevis Smith, his case is also distinct from coverage of other defendants in criminal HIV non-disclosure cases in Canada. Because of Smith's position on the roster of the Saskatchewan Roughriders, reportage of his case blends the genres of crime reporting and sports reporting. We argue that conventions of crime reporting and sports reporting merge to connect established tropes of the hypersexual black male athlete to narratives of moral failure linked to HIV non-disclosure. Smith is represented not only as someone who was a risk to female sex partners, but as a racialized other who posed a risk to white settler constructions of the moral purity of the Canadian prairies. Our case study of Trevis Smith builds on the work of sociologists of sport who have identified sports media as one of the primary vehicles through which racialized social relations are reiterated in the realm of sport (King 1993; Coakley 2006; Ferber 2007). It links that work with research on news media and HIV criminalization, which often focuses on how individual racialized men are represented as dangerous, threatening figures (Flavin 2000; Patton 2005). For example, in their study of media coverage of HIV in Australia, Asha Persson and Christy Newman (2008: 638-639) show how news stories rely on the figure of the "monstrous" heterosexual Black man that "imports" HIV to "an otherwise supposedly disease-free heterosexual Anglo-Australian community." The corpus of news articles about Trevis Smith provides an opportunity to extend this trajectory of analysis by showing how Smith is produced as a threatening, racialized "other" in news articles that portray him not only as a risk to public safety, but as a threat to the otherwise supposedly morally pure Canadian prairies that the Saskatchewan Roughriders represent. As a vehicle to display how representations of Trevis Smith and the Canadian prairies are produced in news coverage, we focus on two representational forms central to Teun van Dijk's approach to the discourse analysis of newspapers: headlines and quotation patterns.

METHODOLOGY

Our research is principally informed by sociological analyses of discourse that understand news reports not as simple representations of the social world, but as texts that construct particular versions of reality (Hall 1997; Van Dijk 2000). Discourse analysis, broadly speaking, is concerned with how knowledge is produced through language. Discourse is not solely

a linguistic concept, but rather, “governs the way that a topic can be meaningfully talked about and reasoned about...it also influences how ideas are put into practice and used to regulate the conduct of others” (Hall 1997:44).

Our analysis of news discourse and representations of race draws heavily on the work of Stuart Hall, in particular, his concepts of “regime of representation” and “othering.” Hall’s notion of a “regime of representation” calls attention to how racial difference is produced in popular culture through representations that, with some variation, are repeated across texts. Hall argues that a critical element of the racialized regime of representation is the construction of “otherness.” The concept of “otherness” refers to the way that racialized discourses reduce people to a few essential characteristics that are universalized and represented as “fixed by nature” (Hall 1997: 257). Forms of “othering” inscribe people who are racialized as significantly “different from the majority” and are structured in terms of sharp, hierarchical binaries such as good/bad, civilized/primitive; attractive/ugly; familiar/exotic (Hall 1997: 229). Canadian scholars who study news media representations of race and crime have drawn on Hall’s conception of “the other” to show how Black and racialized people are often described through normal/deviant oppositions and represented as “others” who exist outside of and as threats to the imagined community of Canada (Henry and Tator 2002; Jiwani 2006; Husbands et al. 2019).

DATA COLLECTION AND ANALYSIS

As researchers working on the issue of HIV criminalization in Canada, we think it is important to take news representations of HIV criminalization seriously. For years, we have heard concerns from people living with HIV, activists, and those who work at AIDS service organizations about how news negatively portrays African, Caribbean, and Black people living with HIV in coverage of HIV non-disclosure criminal cases (African and Caribbean Council on HIV/AIDS in Ontario 2010, 2013). This paper responds to those concerns by exploring a corpus of news articles we developed through searches of electronic databases. To develop our corpus of Canadian newspaper coverage of Trevis Smith we conducted a search of the Factiva database using his name as the search term. The Factiva database is a comprehensive digital archive of local and national newspapers. We identified 366 newspaper articles related to his case from 2005 to 2012. We excluded duplicate articles, articles that only briefly mention Smith’s absence from the Roughriders’

lineup, and those that mention Smith within reports that concentrate on defendants in other criminal HIV non-disclosure cases, leaving a total of 271 articles. Our corpus includes articles and editorials from the news, crime, and sports sections of national and local newspapers across Canada. The lead author coded the articles with attention to how particular discursive operations, as put forward in the work of Teun Van Dijk (1988; 1991; 2000), shape news coverage of Trevis Smith. The lead author constructed a table with the headings: headline of article, date of publication, name of newspaper, people who are quoted in article, and words used to describe Smith. Following the first round of coding, co-authors reviewed the table and we revised the analysis until we reached agreement on each article in the corpus. In particular, we explored how headlines as well as quoting and sourcing patterns represent Smith and the nation of Canada in news stories about his case. The discussion that follows is based on our analysis of these two discursive strategies.

HEADLINES

In his seminal analysis of ways that racist discourse works in newspapers, Van Dijk (1991) argues that headlines serve important textual and cognitive functions. Headlines are separated from the main text, written in large font, and summarize the key information provided in a given news article. Audiences often read headlines first, and so headlines are used strategically by readers to construct the “overall meaning...of the rest of the text” (Van Dijk 1991:50; Mykhalovskiy et al. 2016:43). Headlines warrant close attention because they function to express the most prominent or most relevant information of a news item and define the situation reported by the press (Van Dijk 1988:188). By looking at the headlines of news stories about Trevis Smith, we can gain insight into how news reports described his case to the general public.

The most striking feature of the headlines about Trevis Smith is that they show that news stories about HIV criminalization unfold in distinct stages that are coordinated by the institutional processing of a criminal case. In the context of news coverage of Trevis Smith, roughly 74% (202/271) of headlines refer to a specific development in the standard series of events through which criminal trials proceed. For example, consider the following sequence of news headlines about Smith: “Rider charged with sex assault” (Kyle and Vanstone 2005); “Bail set for HIV-Positive player charged in sex case” (Freeze 2005); “Smith pleads not guilty to sex charge in Regina” (No Author 2005); “[two] sex charges [are] merged against Smith” (No Author 2006c); “Ex-CFLer guilty of

HIV sex assaults” (Pruden 2007); “Smith sent to prison for 6 years in sex case” (Cook 2007); “Deportation ends Smith case” (No Author 2009a).

The focus on specific developments in Smith’s case is not restricted to the headlines of news articles. News reports themselves narrow in on the routine criminal justice system processing of a criminal case. In the months leading up to Smith’s trial, newspaper articles are mostly short, factual accounts of legal proceedings. For example, an article titled “Rider granted bail on sex charge; Strict conditions placed on Smith” describes Smith as someone who is active in relation to a field of possibilities set by the criminal justice process. The article reports on criminal-legal details such as the charge that he faces, the bail conditions that are imposed upon him, and the date of his next court appearance (Girard 2005).

This form of reporting, what we call “criminal justice time writing,” is foundational to news stories about Smith. It establishes the topic of news articles—specific developments in his criminal case—and provides a discursive ground within which more explicitly racializing forms of representation are nested. In work on other cases we have shown how those forms of representation draw heavily on accounts of exotic “African” strains of HIV and of the African and Caribbean countries of origin of Black immigrant men living with HIV who face charges (Mykhalovskiy et al. in press). Smith, however, was already a well-known Black athlete playing football for the Saskatchewan Roughriders at the time of his criminal charge. What makes the coverage of his case unique is how his representation as a racialized other involves linkages between criminal justice time reporting and sports writing.

It is important to note that the Roughriders are represented in popular culture not simply as a football team, but as an integral part of Saskatchewan’s identity. The team’s image carries significant symbolic weight in Saskatchewan. Political scientist Justin Leifso (2019:48) argues that during difficult times in the province, “the historically mediocre Roughriders” have served as a metaphor of “the scrappy underdog.” However, in recent years, a more prosperous Saskatchewan has coincided with a more successful Roughrider team. It is in this context, writes Leifso, that the Saskatchewan identity has become synonymous with “Rider Nation” – a political identity based on rejection of past despair (Leifso 2019). Leifso’s analysis shows that Rider Nation is an exclusively white settler identity: “citizenship in Rider Nation remains dependent upon settler feelings and an acceptance that difficult times, defined solely by the experience of white settler Saskatchewanians, are a thing of the past” (Leifso 2019:53). Thus, Rider Nation works to reproduce settler colonial and national projects by ignoring or marginalizing forms of despair that

occur (particularly to Indigenous peoples) in the present (Rifkin 2011; Mackey 2014; Leifso 2019). As Leifso writes, “in the Rider Nation, all is well. Bringing attention to those instances where all is *not* well, then, becomes a crime against Rider Nation” (Leifso 2019:53).

Coverage of Smith’s case consistently reminds readers of the Roughriders’ role as guardians of prairie pride. As one report describes, the community-owned team is “part of the fabric of the province. Everyone who is born in Saskatchewan identifies with the team, and I think it’s important that we represent them with honour” (Hall 2007). Studies of news coverage of Black men who face charges in HIV non-disclosures cases describe how articles refer to individuals as violent, dangerous figures (Persson and Newman 2008; McKay et al. 2011; Kilty and Bogosavljevic 2019; Mykhalovskiy et al. in press). In Smith’s case however, news headlines often accentuate his failure to live up to the ideals that the Roughriders stand for. Overall, 80% (216/271) of news headlines about Smith refer to him as a football player in some way, and almost a third (31% [84/271]) of all headlines use descriptors that remind readers that Smith is no longer a part of the Roughriders’ organization. For example: “Ex-Rider’s sex trial begins” (No Author 2006b); “Former Roughrider to remain in jail” (Canadian Press 2006); “ex-CFLer Smith denied bail” (No Author 2006a); “Ex-CFL player signed safe-sex pledge” (Walton 2007); “Former Roughrider granted parole” (No Author 2009b).

In some ways, news coverage of Trevis Smith is emblematic of sports reporting that commonly instructs readers to view Black athletes who face criminal charges as dangerous, hypersexual, threatening “others” in need of containment and control (Leonard 2004; Ferber 2007). However, what one finds in headlines and news stories about Smith is a distinct type of “othering” that isolates him from the idyllic depictions of football on the prairies and emphasizes his status as a foreign other. It is important to underline that news articles regularly emphasize Smith’s status as an American playing football in Canada. In total, 54 news articles in the corpus of coverage about Trevis Smith mention that he is from Alabama or the United States. News reports regularly substitute Smith’s name with descriptors such as “the native of Montgomery, Alabama” (Hutchinson and Bellett 2005); “the Alabama native” (Cook 2005); and “an import from Montgomery, Ala.” (Maki 2005). News headlines serve as mechanisms that reinforce a boundary between the Roughriders as symbols of hearty, prairie pride, and Smith as an American-born outsider with a criminalized HIV-positive status. Headlines instruct readers to be nervous and concerned about the way that Smith, “Admired football star with HIV accused of endangering many lovers” (Warwick 2005), has disrupted the image of the Roughriders, and by extension, the identity

of Saskatchewan. An article in the sports pages of *The Globe and Mail* entitled, “Sex, Saskatchewan, and Anxiety” states,

this country has an understandable, sentimental soft spot for Saskatchewan football. It is the one place where the Canadian game seems at the very heart of the culture. All of us can imagine folks driving for miles to get to Taylor Field for a game, attending the annual general meeting of the community-owned Roughriders and painting the town green when the local heroes are riding high. And now [in light of Smith] you’re going to start hearing about a different Regina and a different kind of football culture (Brunt 2005).

This passage offers readers a narrative of how the familiar image of Saskatchewan football is being tarnished by Smith’s transgressions. The writing makes a clear distinction between “folks” who celebrate “local heroes” and take part in the traditions that produce a national “sentimental soft sport for Saskatchewan football,” and Smith who is said to be part of a “different Regina and a different kind of football culture.”

As the press underscores the ways that Smith damages symbols of Canadian prairie life, news reports represent the province of Saskatchewan as the collective victim of Smith’s actions. News stories that portray Smith as a threat to the entire province of Saskatchewan rely on metaphors that amplify the notion that he is a “dangerous” criminal who is underserving of legal protection or privacy. In the days that immediately followed Smith’s aggravated sexual assault charges, reports often criticized the Saskatchewan Roughriders football team and the Canadian Football League for “keeping Smith’s infection a secret” for a year until he was charged (Bellett 2005b). One article refers to Smith as a “problem” who is

playing Russian roulette with his teammates. Why should he be protected by employee privacy laws? If there is any evidence that someone infected with HIV is knowingly spreading what causes the deadly AIDS, then police and employers must be given the authority to sound some kind of alarm bell without fear of reprisals from the suspected culprit” (Adami 2005).

While Smith’s charges stem from sexual relations that he had with two girlfriends, here, the reporter represents Smith as a risk to the general population by pairing gun imagery with a description of AIDS (not HIV) as a “deadly” communicable disease.

Other reports go even further and openly question if “society’s right to know [Smith’s HIV-positive status] increases because the HIV victim is a Black American football player” (Dowbiggin 2005) and liken

living in Regina with Smith to “having a child molester move into your neighbourhood... Wouldn’t some of those women in bars, and hanging around team buses and hotels, like to be armed with at least that much information?” (Cole 2005a). These segments of news coverage draw clear lines between Smith, who comes to be linked to the most heinous and threatening types of criminal-acts (such as child molestation), and “society” that requires protection from him. As reports inflate the danger that Smith poses to people in Saskatchewan and instruct readers to identify as the collective victims and potential victims of Smith’s actions, they tread on well-known tropes of the “highly sexed,” “highly dangerous,” and racially othered Black athlete (Berry and Smith 2000:179; Carrinton 2010:4). That notions of danger and alarm are tied so tightly to popular conceptions of Black masculinity offers insight into how Smith is repeatedly and widely represented as a threatening “other” in news coverage of his case.

News headlines present Smith’s case to readers as a story about an outsider who intruded on an integral aspect of Canadiana and disrupted an idealized conception of Canadian prairie life that the Saskatchewan Roughriders represent. In so doing, they also preserve an image of the Canadian prairies as the home of healthy, respectable, and innocent citizens (Hier and Greenberg 2002; Murdocca 2003; Reitmanova 2009). As Carmela Murdocca (2010:390) describes, “the construction of the Canadian national story has historically been interwoven with a colonial and geographical story of racial (white) purity and the absence of disease.” Headlines of the Smith case start to show how the Roughriders are used in news coverage as a device that inscribes tight boundaries between who belongs and who is “othered” within this imagined community. Some sociologists of sport who study the connection between social identity and professional sports teams have called attention to ways that one’s strong identification with a specific team can foster feelings of belonging (Branscombe and Wann 1991); cultivate ways for people to understand “home” (Kraszewski 2008); and provide a way for people to consider themselves as part of a “particular in-group” (Burns 2008). The way in which the symbolism of the Roughriders is evoked in news coverage that represents Smith as a racialized “other” displays the limits of understanding the connection between sports teams and local identity in such inclusive terms.

QUOTATION PATTERNS

In this section, we turn to focus on another central feature of reporting in criminal justice time – forms of writing that effectively silence the voices of people facing HIV-related criminal charges. Quotations and sourcing patterns are significant because, as Van Dijk (1991:143) argues, possible biases in the coverage of a case reside not only in the selection and prominence of news actors, but also in the ways they are presented as speakers who give their interpretation of, and opinions about, news events. Analysis of how quotations are used in coverage of Trevis Smith's case offers further insight into how he is represented as a culpable, racialized other.

It is well established in studies of news representations of crime that news coverage rarely includes the perspectives of people who face criminal charges. Instead, news reports rely on “primary definers”—namely, law enforcement officials, to construct descriptions of criminal events (Surette 1992; Barak 1994; Chermak 1994; Welch, Fenwick, and Roberts 1997). Most news articles of HIV criminal non-disclosure cases omit the perspectives of people living with HIV or accounts of their experiences of HIV disclosure and criminal cases. Instead of including quotes from people living with HIV, news articles typically include quotations from those who speak about them, especially criminal justice actors such as complainants, judges, lawyers, and witnesses who testify at criminal trials. Statements made by criminal justice actors are a primary way that readers come to know about people living with HIV in news articles about HIV non-disclosure (Mykhalovskiy et al. in press).

This trend holds true in news stories about Trevis Smith. In the corpus of articles about his case, his defense lawyer is quoted 89 times, women who brought charges against Smith and testify in court are quoted 42 times, and judges are quoted 26 times. News articles do include quotations from Smith's lawyers that describe him in favorable terms, for instance, as “an educated, quiet, strong individual who has done a lot of good work in the community...not an outspoken or flashy player” (Bellett 2005a). However, many articles prominently feature quotes from criminal justice actors that try to establish his moral culpability. Quotations from them are often mobilized to suggest that Smith acted recklessly, selfishly, and irresponsibly because he was aware of his HIV-positive status and continued to have sex with a number of women. For instance, an article titled “Nurses worried player having unprotected sex” (Canadian Press 2007a) quotes testimony in which public health nurses state that “they sat with Smith for about an hour and informed him about his obligation under the Public Health Act. They told him

he would have to practise [sic] safe sex and inform any future sexual partners he had the infection.”

The voices of other legal experts are also prominent in news stories and are used discursively to reinforce a connection between Smith’s “recklessness” and moral culpability. For example, the Crown prosecutor is quoted in a number of news articles stating “that Mr. Smith’s conduct in having repeated unprotected sexual intercourse with two women without telling them he is HIV-positive ‘goes beyond recklessness.’ ‘It’s the deliberation that really aggravates this...Mr. Smith carried this out knowing the nature of this illness and what it can do to a person’” (Pruden 2007a). The voices of women that Smith had sexual relations with are also featured prominently in news reports to describe how they were harmed by his non-disclosure. One woman states, “He’s put a lot of people through hell” (Warwick 2005). Notably, during Smith’s trial, news reports craft a stark binary between “malicious” Smith and the testimony from a “well-spoken and confident-sounding” complainant who “planned to donate a kidney to her ailing father” (Canadian Press 2007b). Stories that rely prominently on quotations elicited from witnesses as part of efforts to secure Smith’s conviction, or on quotations from Crown prosecutors and judges emphasize that Smith acted irresponsibly and with malicious intent. This pattern of quotation sets readers up to understand Smith as a morally culpable criminal.

A distinguishing feature of news coverage of Trevis Smith, is that quotations from criminal justice system actors that construct him as a threatening, blameworthy criminal are reinforced by sports reporting. Smith’s moral culpability is not only produced through stories that are premised upon the relevancies of the criminal justice system and that quote criminal justice system actors, but also through stories that heavily quote people affiliated with the Roughriders and the Canadian Football League. Overall, CFL players are quoted 34 times, the Roughriders’ Chairman 25 times, the Roughriders’ president 8 times, and the Roughriders General Manager 7 times. Quotations from those affiliated with the Canadian Football League “other” Smith in two ways: by portraying him as a threat to public health, and by representing him as a foreign “other” whose criminalized HIV-positive status and moral failures have tarnished the treasured reputation of the Saskatchewan Roughriders.

First, articles center the voices of CFL players who repeatedly emphasize the health risk that he poses to individuals. For example, an article describes that following Smith’s arrest, “rival players spoke out, saying Smith shouldn’t have been allowed on the field because that’s where blood is spilled and people could be infected” (Maki 2005). One

opposing player is featured in articles expressing his apprehension about sharing the field with Smith: "It's not right...it puts everyone in danger. I'm not happy with that" (Hall 2005a). In another article, an opposing player expresses his fears about Smith by explaining:

"I don't want to be the one who goes out and plays a sport that I love and comes home HIV positive...I'm just overwhelmed that he was out there playing while HIV positive and carrying on with his everyday life as if he was like everyone else... "he was walking around and talking to the guys in the locker room and he was HIV positive" (Matsumoto 2005).

This passage represents a form of othering based on Smith's HIV-positive status and an exaggerated sense of the risk he poses to his fellow players. While the opposing player who is quoted in this article circulates a stigmatizing discourse about HIV fear and transmission, quotations from other players suggest that Smith's outsider status is not only linked to living with HIV, but also related to the moral failure that his sexual practices represent.

Articles that quote CFL players and management reinforce stark binaries between the purity and innocence of football in Saskatchewan and Smith as a morally culpable outsider. For example, one article foregrounds the voices of CFL players who are situated as morally intact "family guys who don't mess around," such as Edmonton defensive end Joe Montford (Hall 2005b). Montford is described in the story as a "devout Christian" who distances himself from Smith's promiscuity and infidelity by explaining "I'm a family guy...when I'm at home, I want to be a good husband and father. So when I get out on the road, just like most of the family guys, I tuck in. I sleep" (Hall 2005b). Here, sports reporting extends criminal justice time reporting by centering quotations from CFL players who uphold a wholesome moral code based in mainstream, heterosexual ideas of monogamy and fidelity.

The voices of CFLers often connect Smith's moral failure to his status as a non-Canadian outsider. For example, a longtime CFL player and coach who, like Montford, is described in a news story as a "devout Christian", explains that, "A lot of the import players don't understand that you're a guest in the country" (Cole 2005b). Sports reports represent Smith as a morally reprehensible outsider who intrudes on this local swath of Canadiana and oversteps the boundaries of his status as a "guest." One former Roughriders player, reflecting on Smith's aggravated sexual assault charges, is quoted as saying, "I would imagine this is one of the worst things ever (for Regina). It's not a big town, and football is all there is" (Sekeres 2005). In such a context, news stories describe that, "news of the charges against Mr. Smith landed with a thud in the final

days of the CFL's regular season. It stunned Roughriders fans who were gearing up for the playoffs, and led to questions about how some of their beloved team's players were behaving in the community" (Cook 2006). The notion that Smith has harmed all of Saskatchewan is so pervasive, that news coverage of his parole hearing in 2007 often includes his testimony in which he apologizes to the Roughriders football club and the province of Saskatchewan at once: "I apologize to this province, um, to the team that I represented for the last seven years" (Pruden 2007b). Overall, reportage that accentuates Smith's moral culpability through his status as a racialized outsider provides those who read the news with a way to understand Smith's criminalized HIV status as a threat to an imagined, Canadian prairie way of life.

News reports that quote those who uphold the vaunted image of the CFL to emphasize Smith's status as an outsider add to a long lineage of representations that construct white settler societies as "natural" by depicting non-white people as "out of place" (Burnett 2012:373). One of the ways that this sort of othering has been accomplished is through medical discourses that draw on understandings of contagion and disease in order to marginalize non-white peoples in the body politic (Burnett 2012:373). As Sylvia Reitmanova (2009:188) writes, "one of the most efficient means of maintaining a socially stratified society with the white race on top of the social hierarchy is to feed continuous fear and prejudice toward the 'others.' One way to feed this fear is to represent the "other" as a threat to health." Our analysis of news articles about Trevis Smith shows how such threats to health are produced through the conventions of criminal justice time writing and sports reporting. By using the voices of criminal justice actors and, especially, the voices of players who are "like everyone else" to represent Smith as a threat to public health and the values of the Canadian prairies, news reports emphasize a boundary "between ourselves and the afflicted" (Murdocca 2010:391). In so doing, they portray Canada as a nation at risk of "foreigners whose bodies potentially harbor lethal diseases" (Murdocca 2003:26).

CONCLUSION

This paper builds on studies of mainstream news representation of HIV criminalization by providing a discourse analysis of how Trevis Smith is written about in the popular press. Our central argument is that forms of writing that link crime reporting and sports reporting represent Smith as a racialized other who poses a threat to public health and to idealized conceptions of the purity of the Canadian prairies. Our work was guided

by two features of discourse analysis recommended by van Dijk's study of news: headlines and quotation patterns.

Our study of headlines revealed that like most news coverage of HIV criminalization, news stories about Trevis Smith are written in criminal justice time. Nearly three quarters of news stories about Smith refer to a standard development in the routine processing of his criminal case, and reportage relies heavily on the language of the criminal justice system. What is unique about coverage of Trevis Smith's case is that he was already a well-known Black athlete playing for the Roughriders at the time of his criminal charge. This means that unlike news coverage of other criminal cases (Miller 2005; Persson and Newman 2008; McKay et al. 2011; Kilty and Bogosavljevic 2019), headlines about Trevis Smith do not simply introduce him to the public as a criminal. Instead, many headlines refer to Smith as a former, failed Saskatchewan Roughrider. These headlines serve as discursive devices that underline Smith's outsider status and emphasize the ways that he disrupts symbols of Canadian prairie life.

This discourse analysis of the corpus of news stories about Trevis Smith also considered the way that quotation patterns construct Smith as a threatening, racialized outsider. We found that the trend of news coverage silencing people living with HIV who face criminal charges related to HIV non-disclosure is common in news reports about Trevis Smith. Statements that criminal justice actors make about Trevis Smith are a central feature of the corpus of news articles about his case. However, Smith's profile as a Roughrider means that quotations from criminal justice system actors are reinforced by sports reports that centre the voices of people associated with the CFL. The voices of CFLers who uphold the idealized image of football on the prairies serve to amplify representations of Smith as a threat to public health and as someone who trespassed on a cherished part of settler Canadian identity.

While reviewing the corpus of Canadian news stories about Trevis Smith, it is important to keep in mind that articles are published in a context in which many Canadians come to know about the issue of HIV criminalization primarily through the mainstream press. Thus, these findings display the public knowledge that people have at their disposal in order to make sense of connections between race, immigration, and HIV criminalization. In the case of Trevis Smith, news reports set readers up to view him as a dangerous, threatening, HIV-positive, foreign, racialized "other." These widely circulated descriptions of HIV and the criminal law are a stark example of ways that HIV criminalization provides a context for media reports that fuel racist stereotypes by connecting Black men with criminality and sexual violence. Furthermore, this corpus of

news articles upholds colonial narratives that construct Canada as a white nation that is threatened by racialized “others” who immigrate. News coverage of Trevis Smith shows how race and immigration status are portrayed in news media not only as threats to public health, but as threats to imagined ways of being “Canadian.” In order to ensure that public discourse on these critically important topics is based on anti-racist, socially just perspectives, we call for the widespread support of counter-discourses of HIV criminalization that can disrupt the profound silencing, othering, and objectification of African, Caribbean, and Black people in news coverage of HIV non-disclosure criminal cases.

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