

**Excerpt From:**

***Moral Panics over Contemporary Children and Youth***

Charles Krinsky (Editor)

*Chapter 5 (pp. 95 - 110)*

**Naming, Blaming, and Framing:  
Moral Panic over Child Molesters  
and Its Implications for Public Policy  
by Pamela D. Schultz**

***Book Description***

Publication Date: **December 1, 2008**

ISBN-10: **0754674657** | ISBN-13: **978-0754674658** | Edition: **1st**

The concept of moral panic has received considerable scholarly attention, but as yet, little attention has been accorded to panics over children and youth. This book examines for the first time an important and controversial social issue, employing a rigorous intellectual framework to explore the cultural construction of youth through the dissemination of moral panics. Accessible in manner and making use of the latest contemporary research, "Moral Panics over Contemporary Children and Youth" addresses some of the pressing recent concerns relating to children and youth, including cyber-related panics, child abuse and pornography, education and crime. With a truly international collection of studies, including The United Kingdom, Australia, Canada, South Africa, and France as well as in The United States, presented by a team of scholars with expertise across a range of disciplines, this volume will appeal to researchers and students across the social sciences and humanities, from sociology and social theory, to media, education, anthropology, criminology, geography and history.

## Chapter 5

# Naming, Blaming, and Framing: Moral Panic over Child Molesters and Its Implications for Public Policy

Pamela D. Schultz

In a 2006 sex scandal on Capitol Hill, when accused of having lewd conversations with underaged male pages over the Internet, US Representative Mark Foley (R-FL) scrambled to offer plausible excuses. When his announcement that he was an alcoholic failed to garner enough sympathy, Foley added that as a teenager he had been sexually abused by a clergyman. His attorney, David Roth, observed to Fox News, "Mark sustained trauma as a young adolescent. . . . As so often is the case of victims of abuse, Mark kept his shame to himself for almost forty years" (*FoxNews.com*).

Foley attempted to rationalize his morally repugnant actions by constructing himself as a victim rather than a perpetrator of child sexual abuse (CSA). Over the past few decades in the United States, public awareness of and interest in CSA has burgeoned into a national obsession. After years of silence surrounding the crime, tales of fear, trauma, vengeance, and (occasionally) forgiveness have flooded mass media. These mass-mediated, constructed, and perpetuated narratives, along with debates of public policy and legal interventions, have presented sexual abuse as a distinct risk for every child. The child victim of sexual abuse has become a poignant image in American society, inspiring pity and outrage, violence against perpetrators, and perhaps no small amount of guilt among the rest of us for having seemingly ignored the problem for far too long.

In the United States as in other nations, concern over CSA and child molesters has attained the status of moral panic. In his book *Folk Devils and Moral Panics*, Stanley Cohen defines moral panic as a form of collective behavior characterized by widely circulating rumors that greatly exaggerate the threat posed by some newly identified form of deviance (1972). Public sentiment generated by the threat attains a fevered pitch of heightened emotion, fear, dread, hostility, and an underlying feeling of righteousness. Moral panics consist of the construction of a threat by defenders at the "moral barricades," such as law enforcement and media, who act as gatekeepers or, to use the term that Cohen adapted from Edwin M. Lemert, constitute the "control culture" (1972, 1, 66). By identifying the supposed villains of the drama as "folk devils" – alleged perpetrators seen by the public as personifications of evil – Cohen draws attention to the ideological role

of the media in actively constructing meanings, rather than merely reflecting some shared reality.

Cohen's moral panic model assumes a clear distinction between the world of media and the world of social reality. Yet, social reality is always the product of communication and representation, and mass media dominate many aspects of American culture. Although we may debate the distinctions between what is truth and what is represented as "truth," packaged and delivered by the mediated technologies that drive our society, ultimately the result is the same. The impressions we make from the images that surround us inevitably influence social attitudes and public policy. From this premise, the "reality" of CSA is less important in determining public attitudes and actions taken toward the deviance than the rhetorically constructed panic over it. Such rhetoric might actually be detrimental to combating the crime effectively. As long as compellingly stereotyped images of sexual perverts, baby rapers, and child killers haunt the media, the more limited and fixed our political imagination becomes. In examining the recent panic, it is possible to isolate a few major contributors to the rhetorical representations of CSA. The incendiary statistics and emotional anecdotes that have sparked our collective imagination – and fueled our fears – may reflect empirical facts, but the resulting panic has taken on a reality of its own.

Although it is difficult to prove that the incidence of sexual offenses against children has increased, it is certainly true that more people, mostly men, have been convicted of sexual offenses against children than was the case in the past. For example, in 1979, 12,000 people in the United States were serving state prison time for sexual offenses (Henderson 1995). This figure rose to 20,500 in 1980 and to 63,600 just a decade later (Brown, Gilliard, Snell, Stephan, and Wilson 1996). By 1994, state prisons held 88,100 sex offenders (English, Pullen, and Jones 1997). The vast majority of incarcerated sex offenders are male. While a large number of male victims anecdotally report having been molested as children by females, few of these individuals are formally charged, let alone convicted. Statistics show the average first-time convicted sex offender is a White male between the ages of 33 and 35 (Henderson 1995).

Given these figures, it is reasonable to wonder why so many people have been convicted of, and imprisoned for, sex offenses. The obvious hypothesis is that there has been an increase in the number of crimes being perpetrated. For example, between 1988 and 1994, reported rapes nationwide rose by 14 percent (Henderson 1995). In the 1990s, the self-reports of convicted rape and sexual assault offenders serving time in state prisons indicated that two-thirds of such offenders had victims under the age of 18, and 58 percent of those – or nearly four in ten imprisoned violent sex offenders – said their victims were age 12 or younger (Greenfeld 1997). However, other researchers claim that current rates of sexual abuse are not much higher than in other times during this century. The major difference is that today crimes once shrouded in secrecy are being reported, and publicly recounted, with more frequency. Feminist-led efforts to heighten consciousness about the issue have succeeded in raising public interest to a fevered pitch.

In addition, some researchers propose that new media, particularly the computer, offer offenders new avenues for seduction. Video games proliferated in the 1980s, giving some predators a new means of luring potential victims to their homes. By the 1990s, the Internet opened virtually limitless opportunities for sex offenders to pinpoint and stalk their victims. A number of high-profile law enforcement stings publicized the pervasiveness of child pornography on the Internet. On 13 September 1995, after a two-year investigation into alleged illegal activity through American Online, then the nation's largest commercial online service, the FBI arrested 12 people and searched more than a hundred homes in a nationwide crackdown on computer child pornography. The investigation, code-named "Innocent Images," marked the first time federal agents investigated an online service on a nationwide basis. By 1997, the ongoing probe "Innocent Images" had netted 91 arrests and 83 felony convictions (*CNN*, 7 April 1997).

Another FBI investigation, code-named "Operation Candyman," was launched in January 2001 after an undercover agent identified three Yahoo! Egroups involved in posting, exchanging, and transmitting child pornography. In February 2001, the FBI shut down the Candyman Egroup. On 18 March 2002, Attorney General John Ashcroft held a news conference to announce "the smashing of 'the largest child porn ring in history'" (Silberman). According to an FBI press release of the same day, "... more than 89 persons in over 20 states have been charged in the first phase of a nationwide crackdown on the proliferation of child pornography via the Internet. During the course of this investigative initiative, known as "Operation Candyman," over 266 searches have been conducted, with more searches anticipated" (*FBI*). In August 2002, US and western European authorities arrested twenty people for running an international child pornography ring. The acts of sexual abuse and exploitation, which often involved the alleged perpetrators' own children, were captured in images that were then circulated via the Internet. By 13 September 2002, Operation Candyman had grown to include a UK wing called Operation Ore, as a result of which at least two arrests were made.

As of 4 March 2003, the FBI's website reported,

FBI field offices across the United States had executed over 608 searches, indicted 131 individuals, arrested 125, and obtained 69 convictions in connection with the Candyman investigation. Sixteen of the subjects arrested have admitted to the molestation of 58 children. Arrests have included teachers, a school bus driver, a fireman, a police and fire commissioner, a Big Brother/Big Sister caseworker and a cheerleading instructor. (*FBI*)

Later that same month, Operation Candyman was struck a crippling blow when US District Court judges ruled that the FBI recklessly misled judges to get search warrants that were used in making more than 100 arrests. The judges emphasized the danger of casting too wide a net and searching overzealously for crimes. If the standards were lowered for especially "repugnant" crimes, many more Americans could become the victims of law-enforcement tactics. As Judge Denny Chin for

the Southern District of New York wrote in his ruling, "Thousands of individuals would be subject to search, their homes invaded and their property seized, in one fell swoop, even though their only activity consisted of entering an e-mail address into a website from a computer located in the confines of their own home" (*CNET News.com* 7 March 2003).

Shocking revelations of computer-based child pornography continued. In May 2006, police in the United States and 12 European Union countries searched more than 150 houses and arrested several people after investigating possession and distribution of child pornography among members of an Internet message board. In February 2007, Austrian authorities announced they had uncovered a global child pornography ring involving 2,360 suspects from 77 countries, including perhaps hundreds from the United States. Interior Minister Guenther Platter said that videos downloaded from the Internet and seized by Austria's Federal Criminal Investigations Bureau showed "the worst kind of sexual abuse" (*MSNBC.com*).

Legislative efforts to curb computer-based child pornography have often infringed on First Amendment rights. For example, the United States Supreme Court rejected a federal law that would make illegal any image that "appears to be" of a nude child or teenager under 18 years old. The majority of the justices wrote that Congress's first try at banning "morphed" porn was akin to prohibiting dirty thoughts. Undeterred, two weeks later, Attorney General John Ashcroft and several members of Congress unveiled the Child Obscenity and Pornography Prevention Act (COPPA). The new COPPA bill referred to any computer-generated image that was virtually indistinguishable from that of a minor engaging in sexually explicit conduct. As Representative Lamar Smith (R-TX), Chairman of the House Subcommittee on Crime, Terrorism, and Homeland Security, declared, "The Internet has proved a useful tool for pedophiles and sex predators as they distribute child pornography, engage in sexually explicit conversations with children, and hunt for victims in chat rooms" (McCullagh). In June 2002, the House voted overwhelmingly to pass the rewritten bill that would outlaw photographic digital images of children, unless they were proven computer-generated simulations that did not portray actual underage sex.

On 19 May 2008, the Supreme Court upheld criminal penalties for promoting child pornography, brushing aside concerns that the law could apply to classic literature, mainstream movies that depict adolescent sex, or innocent e-mails describing photos of grandchildren. This ruling upheld part of the COPPA bill that prohibited the possession of child porn. In his opinion for the court, Justice Antonin Scalia said that there was "no possibility that virtual child pornography or sex between youthful-looking adult actors might be covered by the term 'simulated sexual intercourse'" and that First Amendment protections do not apply to "offers to provide or requests to obtain child pornography." Justices David Souter and Ruth Bader Ginsburg dissented, noting that promotion of images that were not real children engaging in pornography could still be the basis for criminal prosecution, although possession of those images may not be prosecuted. As Souter commented, "I believe that maintaining the First Amendment of expression we have previously

held to cover fake child pornography requires a limit to the law's criminalization of pandering proposals" (*Associated Press*).

Besides pornographic websites, social networking sites such as MySpace.com and Facebook.com were targeted as ideal hunting grounds for sex offenders. In July 2007, MySpace.com found more than 29,000 registered sex offenders with profiles on its popular site, which allows users to create personal profiles with pictures, music, and text. Users can allow their profiles to be viewed publicly, browse other profiles, and send messages to each other. They can also block undesired contact from other individuals or make their profiles accessible only to designated "friends" using MySpace. State laws have been proposed that would require children to receive parental permission before creating social networking profiles, and require the websites to enact procedures for verifying the parents' identity and age. Advocates for Internet-based industries and privacy issues have argued against such laws, saying they would establish broad verification standards that would be unconstitutional because they inhibit free speech or impede interstate commerce. Internet advocates also point out that such requirements would not work anyhow, since information could easily be fabricated by the user.

Undeterred by such objections, in September and October 2007, the attorney generals of the states of New York and New Jersey issued subpoenas against Facebook, requiring the company to turn over information as to whether registered sex offenders had profiles on the site. On 16 May 2008, the New Jersey Attorney General's office announced that it had charged three convicted sex offenders with surfing MySpace and Facebook in what was believed to be the first arrests under the state's January 2008 law restricting sex offenders' use of the internet. At that time, at least two other states had adopted similar laws making on-line social networking sites off-limits for convicted sex offenders (*ABC News*, 17 May 2008).

Also in May 2008, the United States Senate quietly passed legislation that would require convicted sex offenders to register their e-mail addresses and IM screen names with a government-controlled database. The Senate version of the bill, known as the KIDS Act, was intended to make it difficult for sex offenders to join social networking sites and just one of many Congress was considering. As noted on the Politico.com website (Grim):

Beyond the KIDS Act, there's the Deleting Online Predators Act, the Protecting Children in the 21st Century Act, the Children's Listbroker Privacy Act, the Combating Child Exploitation Act and the Effective Child Pornography Prosecution Act. And then there are the ones with the clever acronyms. The KIDS Act (Keeping the Internet Devoid of Sexual Predators Act) is joined by the SAFE Act (Securing Adolescents From Exploitation-Online Act) and the mother of them all, the PROTECT Our Children Act (Providing Resources, Officers, and Technology to Eradicate Cyber Threats to Our Children Act).

Under the registration requirement approved by the Senate, sites such as MySpace and Facebook would have access to the government database of e-mail addresses and screen names and be encouraged to ban those on it. It would be a violation of parole or probation to use different online identifiers.

Adding to concern over child pornography rings, the public has been horrified by seemingly constant coverage of murderous criminals who snatch and torture children. For example, in 2002, five-year-old Samantha Runnion was playing outside her home with a friend when a man pulled the screaming youngster into his car. Her sexually assaulted and beaten body was found the next day. In 2005, Alejandro Avila, who had been acquitted of molesting two girls in 2001, was convicted of her murder. In 2007, John Evander Couey was found guilty of kidnapping, assaulting, and burying nine-year-old Jessica Lunsford alive. The Jessica Lunsford Act was proposed in response to the tragedy. If passed, the federal bill would reduce federal grant money for any state that would not conform its sex offender registration laws to the following:

- Require sex offenders convicted more than twice of failing to register properly with authorities to wear global positioning system (GPS) devices on their ankles for five years following release from prison – ten years for those deemed sexual predators.
- States must mail sex offender registration forms at least twice a year, at random times, to verify registrants' addresses. Any registrants who do not respond within ten days must be considered noncompliant.

In addition to stories about murderers who also sexually assault their youthful victims, media coverage of the more prolific offenders is often sensationalized coverage. For example, on 25 July 2007, the Associated Press reported that Wayne Albert Bleyle, a former respiratory therapist who preyed on disabled children at the hospital where he worked, was sentenced to more than 45 years in prison for molesting five disabled patients and taking pornographic photographs of others (Hoffman). The Associated Press story noted that Bleyle allegedly told investigators that he had molested as many as half the children he treated in ten years working in the convalescent ward at Rady's Children's Hospital in San Diego. A month after Bleyle's March 2006 arrest, a second hospital employee was charged with molesting a comatose toddler patient. Christopher Alan Irvin, a nurse at the time, was sentenced to 14 years and eight months in prison (Ogbu). The horrific image of helpless children being sexually abused in hospitals inspired fear in parents similar to the lingering aftermath of the ritual abuse scare of the 1980s, which centered on day care centers.

## Causes of Moral Panic over CSA

Essentially, four aspects of American culture have contributed to moral panic over CSA. The first aspect comprises the ideological components of victimization that dictate society's responses to sexual abuse – including those of the victims and perpetrators themselves. The second aspect concerns the recent construction of narrative form that has come to be associated with sexual abuse. The third aspect involves the workings of taboo, that is, its effectiveness as a repository of power. The fourth aspect stems from media constructions, including sexualized images of children and youth and the persistence of stereotypes.

### *Ideology of Victimization*

In the late twentieth century, the United States was gripped by an ideological interpretation of victimization that stemmed from family therapy and the self-help movement. Feminist interpretations of CSA encouraged this position, since it was presented as a political action that had devastating impact on the physical and emotional state of victims. Joel Best (1997) outlined this ideology of victimization as it applies to CSA. Firstly, sexual abuse – even no-touch incidents and single, brief instances of fondling – can cause profound and long-lasting psychological after effects of many types, undermining all manner of adult functioning and well being. Secondly, sexual abuse victimization is not only widespread, but also largely unrecognized, even by victims themselves, who must therefore be taught to recognize their experiences for what they truly represent. Thirdly, all sexual abuse is morally unambiguous. Claims of victimization must always be respected, since anything less would be victim blaming. In this way, CSA is framed as inevitably devastating, widespread, and generally unavoidable. Every child is at risk, and any adult could have experienced sexual abuse as a child and not even know they experienced it until recovering the memories years later.

Research proves that sexual abuse can be detrimental to an individual's sense of self and that these effects can be destructive and long lasting. Nevertheless, a counterproductive ideology of victimization has contributed to the moral panic over CSA. Importantly, sexual abuse is assumed always to be damaging to the victim. Though such an assumption has a basis in fact, some adults who were molested as children exhibit no disturbances stemming from the abuse. Their experiences are thus negated because they do not follow the recognized pattern associated with CSA and, consequently, they are essentially silenced from expressing their view. This seems particularly ironic, given that CSA has so often been characterized as a "conspiracy of silence."

The ideology of victimization has been expressed in the ritual abuse and recovered memory movements. Since ritual abuse is covered in much more depth elsewhere in this volume, a brief synopsis will suffice here. The ritual abuse phenomenon gained prominence in 1983 when a woman alleged her son had been molested at the McMartin Preschool in Manhattan Beach, California. Activists



hypothesized that the school might be a front for a child pornography ring or a satanic cult (Linder 2007). The McMartin case was followed in 1984 by a case in which abuse investigators in Jordan, Minnesota, explored allegations of occult rituals and human sacrifice (Spiegel 1990). Over the next year, a number of similar investigations followed. By the early 1990s, supposed survivors of ritual abuse had a wealth of sources to draw on, including books, magazine articles, and self-help groups such as Survivors of Abusive Rituals (SOAR).

Belief in recovered memory draws on Freudian ideas about the power of infantile experiences connected with sexuality and the repression of memories in later life. These assumptions became part of a trend in the 1980s when anxieties encountered by adult patients were traced to forgotten instances of early abuse. Therapists then recovered these memories through hypnosis or suggestion. As a popular book, *The Courage to Heal* by Ellen Bass and Laura Davis, reassured readers, "If you are unable to remember any specific instances . . . but still have a feeling that something abusive happened to you, it probably did" (1988, 21). Both ritual abuse and recovered memory went in tandem with the explosion of Multiple Personality Disorder (MPD) diagnoses. MPD fit in nicely with campaign against ritual abuse and the rise of the recovered memory movement because it poignantly illustrated the devastating impact CSA could have on victims' sense of self, particularly if victims were pressured into keeping silent about their abuse.

The dramatic image of helpless children molested by members of satanic cults, forced into years of silence and tortured by mental, emotional, and physical trauma has made it difficult to reinterpret CSA on political, legal, psychological, and punitive levels. The ideology of victimization that emphasized the truth of victims' experiences worked to minimize skepticism at first, long enough for the concepts to become entrenched in the public's imagination and thus fuel the panic. Even after travesties of justice were revealed, when all charges were dropped in McMartin case and the accused in the Jordan case were exonerated when it was proved that some of the "confessions" were coerced, expressing skepticism, at least publicly, remained difficult. Now that the shameful secret of CSA had become known, casting doubt on claims of abuse seemed tantamount to supporting the offenders.

### *Collective Narrative of Sexual Abuse*

In addition to the ideology of victimization, another new conceptual development – the creation of a collective narrative of CSA – also contributed to a glut of information (and misinformation) about CSA and sexual abusers. A major contribution by the feminist movement's assault on rape in the 1970s was to provide a context for CSA stories, thus empowering victims to speak out. Feminists wanted to expose the attitude of blame that had kept rape and CSA victims silent for so long. Seeking to desexualize the crimes and thereby highlight the fact that they constituted a political issue, many feminists emphasized that rape and CSA were tools of power and control by which the dominant hierarchy

– namely men – oppressed women and children. Hence, sexual victimization resulted in a profound violation of the self. Perhaps more significant than the actual physical abuse was the violation of trust that CSA entailed, since it often involved perpetrators the victims knew and even loved. This reconceptualization resulted in a recognizable and poignant narrative that focused on the betrayal of innocence and disempowerment of victims.

This new narrative offered an intelligible frame or pattern by which victims – and the public – could interpret CSA stories. The deluge of self-help books for CSA victims published since the 1970s has reflected this narrative, which emphasizes the movement from recognition through guilt, blame, and anger to acceptance, sometimes forgiveness, and personal transformation. In this narrative pattern, the telling and hearing of accounts are organized within a socially recognizable structure. Because the story has a beginning, middle, and end, not only victims, but also the public can make sense of sexual abuse. The plot elements of harm, repression, and victim innocence all carry a powerful moral message to recognize and honor victim accounts, while fearing potential perpetrators.

### *Taboo*

The workings of taboo, characterized by the dialectical tensions of speaking and silence, have been a constant companion to the experience of sexual abuse. In the feminist interpretation of CSA, sexual abuse and rape communicate hierarchy. Taboo is a rhetorical means by which hierarchy is created and maintained, since it works to preserve authority through its efforts to silence deviance, and the victims of this deviance. In this sense, silence symbolizes hierarchical structures as surely as does speech. To be spoken is to be included; to be silenced or responded to with silence is to be excluded. The social problem of CSA expresses itself through this dialectical tension as the experience of sexual abuse becomes a form of knowledge, a paradigm through which survivors perceive personal and social reality. Anti-CSA activists attempt to break the taboo that has shrouded the crime in secrecy through their efforts to publicize the crime through mass media and legislation.

The rhetorical implications of taboo have thus contributed to the moral panic over CSA. Viewing CSA through the lens of taboo inspires dramatic, compelling media images of helpless victims silenced not only by the act itself, but by the conventions of society that have historically muffled the crime in shame and guilt. Consequently, although media coverage has helped victims to break the silence and CSA has been framed as a compelling social ill, the underlying guilt feeds the sense of panic. Instead of addressing CSA as a problem we can recognize, accept, and ultimately manage through social, political, and punitive means, we have permitted the hysteria to control our response. We have based our approaches to the crime, such as Megan's Law, on the rhetorically constructed panic. We have altered, not eliminated, the taboo concerning CSA. Today, it is not taboo to talk about sexual abuse. Instead, it is taboo to openly challenge the prevailing, widely accepted ideological construction of CSA as a patriarchy-borne vessel of political

control on the one hand, and an inexplicable, devastating manifestation of evil on the other.

### *Media Constructions of CSA*

As discussed previously, the mass-mediated, rhetorical constructions of CSA drive public understanding of the act and its consequences. Two primary issues in American media contribute to the persuasive imagery surrounding CSA and the ensuing moral panic. The first issue concerns the tendency to engage in stereotypes, particularly when applied to sexual offenses. The second issue relates to the general concern over the sexualization of American culture. Two primary stereotypes of the child molester persist in American culture. One is the image of the child molester as "dirty old man." From the vague warnings given to children not to speak to strangers to the graphic exploits of "Chester the Molester" in *Hustler* magazine, child molesters have been caricatured as creepy guys in trench coats, lascivious but ultimately a bit pathetic. Another image of the child molester is that of the monstrous madman, depraved and homicidal, constantly on the prowl for potential victims to torture, rape, and kill.

Because it is easier to imagine child molesters as conforming to some readily recognizable image, these stereotypes have been difficult to dismantle. Despite an outpouring of stories that show abusers as relatives, friends, educators, spiritual leaders, and yes, even women, it is difficult to break the stereotype of the child molester as the shifty new neighbor who moves in down the block, or the seedy-looking character lurking in an alley. Although these images, particularly the latter, have inspired fear and horror thanks to horrific, highly publicized stories such as those of Polly Klaas, Megan Kanka, and Jessica Lunsford, maintaining the stereotype may be ultimately more comforting than confronting the reality.

The emphasis on "stereotyping the enemy" has been identified as contributing to the social phenomenon of groupthink. The groupthink theory (Janis 1982) can be modified to apply to the moral panic over sexual abusers, since as a society, we tend to make unanimity or solving immediate problems our goal rather than making the best, most informed decision. Stereotyping the enemy allows us to band together and gives a recognizable source of dissonance. It also allows us to disassociate ourselves from uncomfortable truths since the stereotype is often easy to define and categorize. Moral superiority and the panic that ensues from identifying a threat to that superiority are easier to effect when an enemy seems easily recognizable.

### **Implications for Public Policy**

The moral panic over CSA and sexual abusers has profound implications for the cultural, punitive, and legislative approaches to the crime. After decades of being fed a steady diet of over-inflated statistics, wild claims and exaggerated fears, it

has become difficult, if not impossible, to redirect public attention to the realities of CSA and its impact on victims and perpetrators. Five major problems have arisen, stemming from this panic: high-profile trials in which the innocent are found guilty, controversy over recovered memory claims, misplaced emphasis on "stranger danger," misunderstanding of the causes of CSA, and resulting ineffective approaches to treatment.

### *High-Profile Miscarriages of Justice*

During the 1980s, when the panic over wide-scale daycare child molestations was at its height, a number of cases were brought to trial. One of the first, and perhaps the most dramatic, of these was the McMartin Preschool case in Manhattan Beach, California, which broke upon the public's consciousness in 1983. After a six-year trial, no convictions were obtained. The proceedings ended up costing California taxpayers nearly \$15 million – almost twice as much as the "trial of the century" of O. J. Simpson (Victor 1991). In 1993, Kelly Michaels, a former teacher at the Wee Care Day Nursery in Maplewood, New Jersey, was released on appeal from prison after serving five years of a 47-year sentence, 18 months of which were spent in solitary confinement. Michaels's conviction was eventually reversed when, on appeal, defense attorneys showed that children had been induced to give damning testimony and were rewarded or blamed depending on whether their reports meshed with the picture sought by the prosecution ("Child Abuse and the Law"). In 1999, Cheryl Amirault LeFave was released from prison after serving eight years of an 8- to 20-year sentence, although her conviction still stood on child-abuse charges for sexually assaulting young children at the Fells Acre Day Care in Malden, Massachusetts ("Child Abuse and the Law"). Despite a lack of evidence and skepticism-inducing claims such as those made in the McMartin Preschool and Wee Care Day Nursery cases, LeFave, her mother, and her brother were convicted of committing sexual assaults against about twenty children between the ages of two and four.

### *Recovered Memory Claims*

In the 1980s and early 1990s, belief in recovered memory was used to convict individuals of serious crimes while memories of victimization provided the basis for civil actions. Media had embraced the concept of recovered memory because it made a dramatic storyline for magazine articles, made-for-TV movies, and pulp fiction. Yet, critics of the recovered memory movement claimed that a "witch-hunt" atmosphere followed accusations stemming from recalling repressed memories. Pressure groups formed, composed of people who claimed they had been subjected to wrongful abuse prosecution. These criticisms against recovered memory became aligned with the attack on ritual abuse. Although the press had been initially respectful of both ritual abuse and recovered memory claims, by the mid-1990s the focus was on the credulity of the media in reporting some abuse

claims. A further blow was dealt to the recovered memory movement when a growing number of people who, under therapy, related impossible tales of alien abduction. As critics of the ritual abuse cases showed, given certain conditions, individuals are prone to offering information that seems to fit the interviewer's (or therapist's) expectations. As students of dream imagery have long observed, incidents recalled through dreams or distant memories are often expressed symbolically rather than with historical accuracy.

### *"Stranger Danger"*

Cases involving ritual abuse and recovered memories have provided much fodder for the media frenzy over CSA, but may have left a false impression of "stranger danger." Children have less to fear from evil Satanists and predators lurking in the bushes than they do from adults they know. The reality is that adults convicted of felony sex crimes rarely have a criminal history and are increasingly less likely to be strangers to their victims. According to Stop It Now!, a Vermont-based organization devoted to educating the public about sexual abuse and sexual abusers, 90 percent of victims nationally know their abusers; they are fathers, mothers, siblings, other relatives, or trusted family friends (*Stop It Now!*).

### *Misunderstanding Causes and Impact*

The overblown fantasies perpetuated by mass media and associated with CSA panic can thwart efforts to gain genuine insight into the triggers for, and effects of, sexual abuse. Lurid images of ritual abuse and child murderers overshadow the reality and lead to potentially inappropriate ways of combating the crime. For example, legislative approaches to containing sexual abusers, such as Megan's Law, reflect a fundamental misunderstanding that perpetrators are prone to committing serial offenses. Evidence suggests that sex offenders are no more likely to reoffend than are other criminals (Bench, Kramer, and Erickson 1997). Some researchers have even found that sex offender recidivism rates are lower than those of other criminals, as in a 1989 Justice Department study which found that 32 percent of burglars were rearrested for burglary within three years after their release, compared to 8 percent of sex offenders rearrested for rape (Bernstein 1995).

Equally controversial has been the question of whether perpetrators are likely to have been sexually abused as children. Activists have a stake in drawing attention away from this possible contributing factor because it conflicts with emphasizing victim innocence and powerlessness. Yet, some researchers have posited that many offenders were abused in their youth, although past studies have varied widely with rates of previous abuse ranging from 22 percent to 82 percent (Knopp, 1984). The link between childhood victimization and adult victimizing has been most widely documented in the work of Groth (1979), who believed that at least 40 percent of perpetrators were molested as children.



*Ineffective Treatment of Offenders*

In addition to false prosecution and imprisonment, misinterpreted memories, and misunderstanding of the crime, the moral panic over CSA and sexual abusers has also resulted in perhaps noble but potentially ineffective approaches to dealing with the problem. By far, the emphasis has been on adopting legislative means, such as registration policies and Megan's Law, for communities to police themselves. Some communities have gone so far as to enact policies that prohibit convicted sex offenders from living within 1000 feet from day care centers, schools, or parks with pools. In August 2007, a self-described pedophile who said he was attracted to young girls but did not actually molest them was ordered to stay at least thirty feet from every person under age 18 in California (Rogers 2007).

Well intentioned as they might be, these policies may limit, or even prohibit, the opportunity for offenders to pursue and receive treatment. Drama therapy, cognitive behavior therapy, psychoeducation groups, and pharmacological treatment have been shown to reduce recidivism in sex offenders (Prentky, Knight, and Lee 1997). Yet, some offenders may choose to avoid treatment, whether court mandated or not, for fear of disclosure. Perhaps even more dangerously, public and political support is quixotic for in-prison therapeutic programs, which seem to hold the best promise for combating the crime. In addition, the public ostracism that could result from community notification may reinforce the problems that initially inspired the offender's crimes, including poor anger management and communication skills, lack of trust, lack of empathy, low self-esteem, and sense of isolation (Prentky, Knight, and Lee 1997). The potential of public scrutiny may actually further diminish an offender's sense of self-worth, thereby increasing the impetus to molest. Thus, stripping sex offenders of their privacy may create more victims of sexual abuse.

**Concluding Remarks**

The moral panic over CSA and sexual abusers is the compelling and inexorable result of publicly challenging deeply ingrained taboos about sexual attitudes and practices. The controversy has been heightened by the cacophony of competing statistics and claims regarding the presence of CSA in American society. Since the dawn of the child welfare movement in this country, the sexual abuse of children and youth has been a pressing concern, but the proliferation of mass media has pushed this preoccupation to an obsessive level. The feminist call to arms against rape and CSA in the 1970s inspired the creation of a socially recognized narrative account that connected victims as survivors of a common trauma. Yet, while isolation of victims lessened, panic increased as CSA was expressed as insidious and devastating, infiltrating every pocket of American society and threatening the nation's youth. The zealous effort to break the historical "conspiracy of silence" surrounding CSA has served to entrench the stereotype of the sexual offender as a

depraved vampire that feeds on innocence firmly into our cultural consciousness. This narrative has made it difficult to defend against false recovered memories or false accusations of CSA, since the general inclination has been to believe in the sanctity and truth of victim accounts. Undoubtedly, sexual molestation can be a deeply traumatic, life-altering, and painful assault on youth. Nevertheless, the compulsive sense of panic that escalated fear of CSA in the final decades of the twentieth century and first years of the twenty-first century have ultimately overshadowed the less dramatic, but no less disturbing reality.

## References

- Anon., "Press Release: Operation Candyman," *FBI* (published online 18 March 2002) <<http://www.fbi.gov/pressrel/pressrel02/cm031802.htm>>, accessed 4 May 2008.
- Anon., "Attorney: Foley Was Molested as a Teen by a Clergyman," *FOXNews.com* (published online 4 October 2006) <<http://www.foxnews.com/story/0,2933,217618,00.html>>, accessed 4 May 2008.
- Anon., "Austrian Police Uncover Global Child Porn Ring," *MSNBC.com* (published online 2 February 2007) <[http://www.msnbc.msn.com/id/17022345/\[enter%20URL\]](http://www.msnbc.msn.com/id/17022345/[enter%20URL])>, accessed 4 May 2008.
- Anon., "Child Abuse and the Law: Major Preschool Abuse Cases" <<http://www.libraryindex.com/pages/1429/Child-Abuse-Law-MAJOR-PRESCHOOL-ABUSE-CASES.html>>, accessed 2 June 2008.
- Anon., "Court Upholds Part of Child Porn Law," *Associated Press* (published online 19 May 2008) <<http://www.santafenewmexican.com/Washington/Court-upholds-part-of-child-porn-law>>, accessed 7 June 2008.
- Anon., "Commonly Asked Questions," *Stop It Now!* <<http://www.stopitnow.com/comquest.html#Q4>>, accessed 2 June 2008).
- Bass, E. and Davis, L. (1988), *The Courage to Heal* (New York: Harper and Row).
- Bench, L. L., Kramer, S. P., and Erickson, S. (1997), "A Discriminant Analysis of Predictive Factors in Sex Offender Recidivism," in Barbara K. Schwartz and Henry R. Cellini (eds).
- Bernstein, A. (1995), "Should You Be Told that Your Neighbor is a Sex Offender?" in Robert Emmet Long (ed.).
- Best, J. (1997), "Victimization and the Victim Industry," *Society* 34, 9–17.
- Brown, J. M., Gilliard, D. F., Snell, T. L., Stephan, J. J., and Wilson, D. J. (1996), *Correctional Populations in the United States, 1994*. Washington, DC: US Department of Justice, Bureau of Justice Statistics.
- Cohen, S. (1972), *Folk Devils and Moral Panics* (London: MacGibbon and Kee).
- English, K., Pullen, S., and Jones, L. (1997), *Managing Adult Sex Offenders in the Community: A Containment Approach* (Washington, DC: US Department of Justice, National Institute of Justice).

- Greenfield, L. A. (1997), *Sex Offenses and Offenders: An analysis of Data on Rape and Sexual Assault*. (Washington, DC: US Department of Justice, Bureau of Justice Statistics).
- Grim, R. "Sex Offender Bill Passes Senate," *Politico.com* (published online 21 May 2008) <<http://www.politico.com/news/stories/0508/10526.html>>, accessed 22 May 2008).
- Groth, N. (1979), *Men Who Rape: The Psychology of the Offender* (New York: Plenum).
- Henderson, A. (August 1995), "The Sexual Criminal," *Governing* 35–38.
- Hoffman, A. "Therapist Gets 45 Years for Abusing Kids (published online 25 July 2007) <[http://www.usatoday.com/news/topstories/2007-0725-3579702207\\_x.htm](http://www.usatoday.com/news/topstories/2007-0725-3579702207_x.htm)>, accessed 26 July 2007.
- Janis, I. (1982), *Groupthink*, 2nd Edition (Boston: Houghton Mifflin).
- Knopp, F. H. (1984), *Retraining Adult Sex Offenders: Methods and Models*. (Orwell, VT: Safer Society).
- Lemos, R. "Judges: FBI's Child-Porn Site Search Illegal," *C/net News.com* (published online 7 March 2003) <<http://news.cnet.com/2100-1025-991652.html>>, accessed 21 May 2008.
- Linder, D. The McMartin Preschool Abuse Trial (published online 2007) <<http://ssrn.com/abstract=1030559>>, accessed 4 May 2008.
- Long, R. E. (ed.) (1997), *Rights to Privacy* (New York: H. W. Wilson).
- McCullagh, D. "Round Two on 'Morphed' Child Porn," *Wired* (published online 3 May 2002) <<http://www.wired.com/politics/law/news/2002/05/52285>>, accessed 2 June 2008.
- Ogbu, R. "Hospital Staff in Child Abuse Scandal," *NewsWatch* (published online 18 June 2007) <<http://www.newswatchngr.com/editorial/allaccess/bob/10618121835.htm>>, accessed 26 July 2007.
- Prentky, R. A., Knight, R. A., and Lee, A. F. S. (1997), *Child Molestation: Research Issues* (Washington, DC: US Department of Justice, National Institute of Justice).
- Rogers, J. "Court Orders Pedophile to Stay 30 Feet From All Children," *Pantagraph.com* published online 3 August 2007) <<http://www.pantagraph.com/articles/2007/08/04/news/doc46b3aef6f22d0249891531.txt>> (accessed 2 June 2008).
- Schwartz, B. K. and Cellini, H. R. (eds) (1997), *The Sex Offender: New Insights, Treatment Innovations, and Legal Developments* (Kingston, NJ: Civic Research Institute).
- Sherman, M. "Supreme Court Upholds Anti-Child Pornography Law," *ABC News* (published online 19 May 2008) <<http://abcnews.go.com/TheLaw/SCOTUS/wireStory?id=4884680>>, accessed 20 May 2008.
- Silberman, S. "The United States of America v. Adam Vaughn," *Wired* (published online October 2002) <<http://www.wired.com/wired/archive/10.10/kidporn.html>>, accessed 4 May 2008.



- Spiegel, L. D. "The Phenomenon of Child Sexual Abuse Hysteria as a Social Syndrome: A New Kind of Expert Testimony," *IPT Journal* 2.(originally published 1990) <[http://www.ipt-forensics.com/journal/volume2/j2\\_1\\_4.htm](http://www.ipt-forensics.com/journal/volume2/j2_1_4.htm)>, accessed 2 June 2008.
- Victor, J. S. "The Satanic Cult Scare and Allegations of Ritual Child Abuse, *IPT Journal* 3 (originally published 1991) <[http://www.ipt-forensics.com/journal/volume3/j3\\_3\\_1.htm](http://www.ipt-forensics.com/journal/volume3/j3_3_1.htm)>, accessed 2 June 2008.

# Table of Contents (of entire text):

## List of Tables

### Introduction / Charles Krinsky 1

#### Pt. I. Defining Youth and Youth Culture

1. Justice Undone: Public Panic and the Condemnation of Children and Youth / Bernard Schissel 15
2. Virtual Panic: Children Online and the Transmission of Harm / Robert Payne 31
3. "The Monsters Next Door: What Made Them Do It?" Moral Panics over the Causes of High School Multiple Shootings (Notably Columbine) / John Springhall 47

#### Pt. II. Sex Panics

4. How to Make "Kiddie-Porn" in Canada: Law Enforcement, the Media, and Moral Panic in the Age of AIDS / Vincent Doyle 77
5. Naming, Blaming, and Framing: Moral Panic over Child Molesters and Its Implications for Public Policy / Pamela D. Schultz 95
6. The Moral Panic That Never Was: News Media, Law Enforcement, and the Michael Jackson Trial / Charles Krinsky 111

#### Pt. III. Schools and Schooling

7. Speak of the Devil / Mary deYoung 127
8. Panic between the Lips: Attention Deficit Hyperactivity Disorder and Ritalin / Toby Miller 143
9. "Don't Know Much about History": A Critical Examination of Moral Panics over Student Ignorance / Sheldon Ungar 167

#### Pt. IV. Urban Youth

10. Marginalized Youth and Urban Revitalization: A Moral Panic over Street Children in Cape Town / Tony Roshan Samara 187
11. Race, Space and Crime: The City, Moral Panics, and "Risky" Youth / Elizabeth Brown 203
12. New Savages in the City. Moral Panics, Delinquent Hoodlums, and the French Juvenile Court / Susan J. Terrio 225

#### Index 247

---