

0:00:05.3 Outspoken Offender: Welcome to The Outspoken Offender podcast.

0:00:10.9 OO: I'm a filmmaker, podcaster, dog dad, and of course, an advocate, I encourage people forced to register and their family members to move beyond stereotypes and social ostracism. Welcome to the show.

0:00:31.2 OO: Thanks for tuning into The Outspoken Offender podcast. Today, I'm talking about something interesting. I did a blog post on this years ago when I was running a film company, Metamora Films, and it really stuck with me when I wrote the blog post and I did a little research on it, and today I'm deciding to do a podcast on this issue.

0:00:51.1 OO: We're talking about moral panics, and in my opinion, and a lot of other researchers consider that the sex offender registry and the fear of people that have committed sex offenses is considered a moral panic in this country, at least in the United States, and I do have to agree. What's interesting, though, is this is not the first moral sex panic that we've had in the United States. There has been many. And what's troubling about this is when we are advocating for a fair system or completely eliminating the sex offender registry, will our advocacy change minds? Will laws, the change of laws and restrictions change people's perception of someone that has committed a sex offense, or are we stuck in a moral panic for the next 20, 30, 50, 200 years?

0:01:52.8 OO: It's a very interesting thought. And I'm gonna give you just a quick background on some of the moral panics that have occurred in the United States, and not just about sex offenses, a variety of things. And this really comes down to us versus them mentality, and also the social exclusion, social rejection. All of these things that I've just mentioned are ingrained in human nature.

0:02:20.7 OO: The moral panics in the United States throughout the years have something to do with social rejection, social ostracism, the us versus them mentality. I have learned a lot about this topic over the years. In fact, in 2017, when I did a documentary film on the housing, the rental housing challenges that people face with criminal records and with sex offenses, I was able to interview the leading researcher on social ostracism. Dr. Kipling Williams out of Purdue University. He experimented with the technique of the ball toss paradigm, very fascinating interview. If you want to check that out, it's Not For Rent! , a documentary film.

0:03:02.9 OO: Anyway, what I've learned about this is it's ingrained in our minds in society, but when does it become a problem? Well, it becomes a problem when it's prolonged or consistent, without any breaks, and I feel we're seeing that when it comes to our current sex offender panic, which is sex offender registries, the panic against pedophilia, etcetera. S1: So let me talk about a little bit of history when it comes to moral panics, it's very fascinating, the history and development over the years.

0:03:41.9 OO: I have to mention Cohen, Stanley Cohen investigated a series of moral panics, he has a 1972 book, it's called Folk Devils and Moral Panics. Cohen has five stages of moral panic. So number one, an event, condition, episode, person or a group of persons is perceived and defined as a threat to societal values, safety and interests.

0:04:05.9 OO: Number two, the nature of these apparent threats are amplified by the mass media, who present the supposed threat through symbolic rhetoric, such portrayals appeal to public prejudice, creating an evil in need of social control, in other words, folk devils, and then the victims, the Moral Majority.

0:04:25.4 OO: Number three, a sense of social anxiety and concern among the public. Is this sounding familiar, by the way? A sense of social activity and concern among the public is aroused through these symbolic representations of the threat.

0:04:40.3 OO: Number four, the gatekeepers of morality, and those people would be editors, religious leaders, politicians, that's big, and other moral thinking people respond to the threat with social accredited experts pronouncing their diagnosis and solutions to the threat.

0:04:56.8 OO: Number five, the condition then disappears, submerges or deteriorates and becomes more visible. The condition then disappears. That's an interesting one.

0:05:05.1 OO: So those are the five stages according to Cohen, stages of moral panic, and a lot of those sound very familiar in today's world. So let's talk about some of these moral panic in the past. We can go thousands of years back, but I'm not gonna bore you with examples from that far back, I'm gonna go more recent.

0:05:29.7 OO: So we can look at the Know Nothing Party that occurred between the 1840s and the 1860s. The Know Nothing political party embodied the moral panic theory, they focused upon Catholic immigrants and then labeled them as members of the outgroup. So when I hear that, I think us versus them. American society has this obsession or history, at least, of creating groups of people, we do it all the time. We do it with immigrants in the United States, we do it with Native Americans, we do it with LGBTQ community, it happens all the time. And so now we're seeing, in my opinion, with people convicted of sex offenses. So the Know Nothing Party could be considered an historical example.

0:06:29.5 OO: So after that, we can look at perhaps the Red Scare. Late '40s... Well, well, around 1920 to late '40s, and then to the '50s. What was the Red Scare? Well, pretty much it was all about communism. Perhaps you were alive during that time, I wasn't, but it was that fear of being attacked by the Soviet Union. And so in the late 1940s and 1950s, a period known as you may reference that as the McCarthy era, Senator Joseph McCarthy, he actually led a witch hunt wherein people were accused of being communists, often regardless of evidence.

0:07:09.7 OO: We move from the 1920s to the 1980s approximately, and we would call this time the devil's music. Oh, boy, the devil's music. Let me tell you about this a little bit. Blues was considered one of the first music genres to receive this label, the devil's music, a lot of people perceived the blues genre as inciting violence and poor behavior. Jazz was another devil's music genre. Jazz was actually an early receiver of the label, a lot of people in that time called blues and jazz Negro music.

0:07:47.8 OO: Do you remember the panic over switch blades? This mainly occurred in the 1950s. There was actually an article, and the title of that article is *The Toy That Kills*. It was in the *Women's Home Companion*. The article was about automatic knives or what we call now switch blades, and it sparked a lot of anger, it sparked a lot of controversy during this time. What really brought this moral panic to the forefront were 1950 films. We had *Angry Men*, *Twelve Angry Men*, *The Delinquents*, *High School Confidential*, even the 1957 Broadway musical *West Side Story*.

0:08:29.1 OO: And so those, and even *Rebel Without A Cause*, by the way, in 1955, so these films really caused this moral panic of switch blades to increase and to amplify, and so the fixation on these switch blades actually resulted in demands from the public and Congress to control the sale of these switch blades. They even had state laws criminalizing switch blade possession, and these were adopted by an increasing number of state legislators during that time, and there was even restrictive laws around the world.

0:09:05.5 OO: Now, this podcast wouldn't be complete if I did not mention the mods and rockers from the 1960s in Britain. These were basically two main youth subcultures. There were mods and rockers, and from what I understand, these two groups of people would get in fights, evening brawls at football games, at events, whatever, between the '50s and the 1960s. Cohen, the author again, acknowledged that these mods and rockers engaged in extreme street fighting, and so that became a fixation in the culture in the 1960s Britain and 1950s as well.

0:09:46.3 OO: One moral panic I do remember, and this was the 1980s through probably the mid-90s. Do you recall the fear, the unfounded fear, by the way, of *Dungeons and Dragons*? Some people consider this a moral panic. The game was accused of Satanism, witchcraft, even pornography and murder, oh, my goodness. That was built from fundamentalist Christian groups. They accused the games of encouraging interest in sorcery and demons.

0:10:21.5 OO: Now, I didn't play *Dungeons and Dragons* really that much. I played it a few times with some old friends, and I'm okay, I survived. Are we seeing this mass panic about *Dungeons and Dragons* anymore in 2021? No. Are people okay and safe? Yes. It just was a time where... I don't know when *Dungeons and Dragons* came around, when it first was invented, but for some reason, the 1980s to about the '90s, people fixated on this, it got into the media, it was just a thing.

0:10:56.2 OO: And now with social media in our lives, you can see how easy a moral panic can spread. Let's talk about the satanic panic, and again, in the 1980s to the 1990s, this is satanic ritual abuse. Do you remember this one? There's a lot of information on this moral panic, but basically, there was a book called *Michelle Remembers*, it was written by Canadians Michelle Smith and her husband, psychiatrist Lawrence Pazder. It was published in 1980.

0:11:26.8 OO: Of course, now it's been discredited, but the book was written in the form of an autobiography, presenting the first modern claim that child abuse was linked to Satanic rituals. So from these books, things progressed, in the 1980s, the early 1980s, mandatory reporting laws came out, and then they saw a large increase of investigations, different trials in 1983, there were charges against... The *McMartin* preschool trial, this was a major case in California, and then another one, *Kee MacFarlane*, she was a social worker employed by the *Children's Institute international*.

0:12:08.9 OO: Then numerous conspiracy theories in 1984, 1985, it just goes on and on. And really, this panic has religious roots, and those religious roots were conservative Christianity here in the United States. This moral panic became so large that it had an international spread. Ah, an international spread. The first thing that pops in my head would be the International Megan's Law, now with people on the registry being forced to have a code on their passport, and in a lot of cases, can't even travel to different countries.

0:12:48.4 OO: Let me just step back here for a moment, and I'm gonna read you a few allegations from the children involved in these childcare centers. And these were outlandish, I mean, Child Protective Services interviewed these children and they used praise and promises, positive reinforcement, so leading them into an allegation that they wanted to hear. They even invited children to pretend or speculate about events.

0:13:25.3 OO: Okay, so here are some allegations: Seeing witches fly, travel in a hot air balloon, abuse and travel through tunnels, identifying actor Chuck Norris from a series of pictures as an abuser, orgies at car-washes and airports, children being flushed down toilets to secret rooms. I'm not making this up. Being raped with knives, including a 12-inch blade, sticks, forks, magic wands, it sounds like a pornographic Harry Potter or something like that. Ritual murder of babies, forced to act in child pornography and used for child prostitution, tortured, made to watch snuff films. Oh, my goodness, it goes on and on.

0:14:09.6 OO: So eventually over time, these allegations from parents and children were discredited. A lot of people, and professionals say it was false memories, discredited the techniques such as hypnosis and leading questions by therapists and so on. So that was a huge, huge moral panic in the United States.

0:14:30.1 OO: As we move on, and don't worry, I am gonna get to the most recent moral panic that we're facing today. I want to move on to HIV and AIDS. It was very sad. Back then, I was young, but I do remember this, media outlets nicknamed AIDS or HIV as "the gay plague," and I vaguely remember hearing reports on the news about is it contagious? Can you get it by standing right next to the person, or can you get it if that person touches your hand, or whatever? And again, people with HIV and AIDS back then were considered the folk devils during that moral panic. Eventually as science caught up and learned more about the disease, then eventually more accurate information came out of the media and people started to calm down, but it took a long time.

0:15:26.2 OO: And there is still some of that in today's society, I would guess. Not as widespread, it has calmed down. War on drugs. Wow. 1970s and still today in some aspects, though, again, it has calmed down, the war on drugs. My goodness. Excessive, excessive sentences for people convicted of drug crimes. With the President of Ronald Reagan, we saw that expansion to the federal focus of preventing drug abuse and for prosecuting offenders, and again, those sentences were extremely harsh. It established the federal system of mandatory minimum sentences. My gosh, so we see that today in sex offenses, usually a federal conviction of possession of child pornography, I believe, is 60 months in federal prison.

0:16:17.6 OO: I want to talk about what's happening right now. Sex offenders, child sexual abuse and pedophilia, it has actually been going on since the 1970s. It really picked up steam in the 1990s, in the late '80s as well with the Adam Walsh situation, we had Megan Kanka in 1994, I hope I'm pronouncing her name correctly. Jessica Lunsford in 2005. We had just other abductions occur throughout the years that has created such a media frenzy about people looking behind the bush, kidnapping children and molesting children.

0:17:01.4 OO: We had Adam Walsh, he was abducted, murdered and beheaded, actually, horrible, horrible situation. This case really created a nation of scared children and scared parents, you can even call it helicopter parenting where you just don't want to leave your child anywhere alone. Did this create a shift in how we react to children's safety? Perhaps. Back then it was different. I was a kid, then we were able to play and walk home from school and walk to the bus stop and go to the neighbor market. Now you can get... Parents can get arrested for things like that.

0:17:42.8 OO: There are cases where... There was this family that had their children, I think they were... I don't know how old they were, 6 and 8 or 9 and 10, walk home from school or something, and they were investigated by local police. I mean, come on.

0:17:56.4 OO: So I want to go back, you remember Cohen? I was talking about him earlier in this podcast, and I was talking about folk devils, and they are really portrayed as deviant through extreme media attention and, yes, we see that today for the sex offender registry.

0:18:12.8 OO: I mean, there are some times I try to look up a positive news story about someone on the registry and it is like impossible. All I see is this person gets arrested, this person was on school property, this person failed to register, this person is convicted of a crime. It's all over the damn place.

0:18:31.8 OO: So this constant media reporting people on the registry or the modern-day folk devil, according to Cohen, is really fueling this sex panic. SORNA legislation was actually established through the passage of the Jacob Wetterling Act in 1994, and it set a standard for states to register people convicted of sexual-based crimes, and then it was amended, I think, in Megan's Law in 1996, and from there, it went through Megan's Law, and then eventually through the Adam Walsh Act in 2006, and during that time, it was heavily expanded throughout the states.

0:19:13.5 OO: And now SORNA and the SMART Office are, they have this whole process of sex offender registration, and they're telling the states, hey, you need to have this in place, you need to have SORNA implemented in your state. The lack of education also comes into play. There is a study, it's called Moral Panics and Community Member Perceptions Regarding Reductions in Sex Offender Recidivism, it's by Jennifer Klein. And in her study and in her conclusion, she states "the moral panic surrounding registered sex offenders is described as being perpetual in nature, rather than a traditional flash and fade moral panic as explained by Cohen."

0:20:00.1 OO: That's very interesting, and I mentioned earlier, this is a ongoing panic that is not fading. Eventually it will. Something will happen in society, whatever that may be, it could be World War III, it'd have to be something big. It could be aliens. I'm being a little bit sarcastic, but

you get my point, something will switch people's obsession to something else.

0:20:24.3 OO: On just a quick side note, there are many times where people ask me, hey, don't you think that the sex offender registry protects families and children? Don't you think the notification, public notification helps families and parents know where the bad people are. And I sit there and I just wonder, what did we do before the registries? There has always been people out there that have molested children, that have looked at pornography, at least in the modern era, especially during the invention of the internet.

0:21:01.2 OO: I'm not saying we should give these people a free pass, God, no, we need to deal with those people, but what did we do before the registry and putting people's information online? Has it reduced the amount of child abuse cases? I'm not sure about that. That would be interesting to look at. Has it reduced instances of child pornography use online? We should look at those facts to see if it's actually helping the root problem. I don't think it is.

0:21:35.7 OO: I think it's always gonna be there and we need to figure out other ways to solve the main core problem. That may be scientific, that may be a way that, hey, if people are attracted to minors, what can we do about it? What can we do to help them not offend?

0:21:56.5 OO: So in closing, I... Well, first of all, I'd like to say thank you for listening. This has been a very interesting podcast, and I hope you've learned some things. One thing I want to leave with you is society's opinion on people registered is extremely negative. I don't have to tell you that. You know that, I know that. And it can get pretty nasty sometimes, vigilantism, things like that.

0:22:23.4 OO: According to Daniel Wood, he was an author of Sex Offender Registry Acts: Deterrence or Moral Panic? He was quoted saying, "many studies have been conducted to evaluate the public's attitude towards sex offenders, and most, to put it bluntly, would like to torture them before they are sentenced to death." I don't know how it's gotten this bad. I know there is a problem, I know there are people looking at material they should not look at, I know people are doing a lot of bad things, I'm not stupid, but we need to get to the core of the problem instead of creating a moral panic that does not solve anything.

0:23:01.3 OO: What will the next moral panic be? I don't know. Could it be something political? We're gonna have to wait and see, but I hope to God that this moral panic on the sex offender registries begin to fade, not because I want to give people a pass, a legal pass on crimes. Absolutely not. I want this moral panic to go away, because I want doctors and politicians, prosecutors to find and help find the core problem, what we can do to help people that are committing these crimes before they commit or before they commit again, at least.

0:23:49.0 OO: So those are my thoughts today, and I hope you enjoyed the podcast. Wow. Moral panics in the United States. I have talked a lot about Cohen, Stanley Cohen, and if you want to pick up a book, pick up his 1972 book, Folk Devils and Moral Panics. That may be a good book to start with.

0:24:07.2 OO: Thanks for listening. It's been a pleasure. My name is The Outspoken Offender, and

the sex offender registry and moral panics, the outspoken offender

please share the podcast, that would be awesome. Talk to you next time.

0:24:17.1 OO: Thanks for listening to this podcast episode. I'm The Outspoken Offender, helping people forced to register and their family members move beyond stereotypes and social ostracism. I'd love to hear from you. You can connect with me on YouTube and Twitter. And remember, you are not a label.