

ABSTRACT

DAVID O. LOOMIS: Modern Witch Hunts: How Media
Have Mishandled Ritual Child-Sex-Abuse Cases
(Under the direction of Philip E. Meyer)

Witch hunts – also called “delusions,” “moral panics,” and “political hysterias” – and news media coverage of them have exhibited repeated shortcomings during this century that are evident in recent cases brought to courts nationwide involving alleged sexual abuse of preschool-age children in day-care settings. A case study of local newspaper coverage of one such witch hunt – the Edenton, N.C., Little Rascals Day Care case – and comparisons with similar cases show that these shortcomings again have been evident and that they may have contributed to avoidable injustices that exercise of the press’ watchdog responsibility could have prevented.

MODERN WITCH HUNTS:
HOW MEDIA HAVE MISHANDLED RITUAL CHILD-SEX-ABUSE CASES

by
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PREFACE

This work is dedicated to my wife, my father, my sister and my mother, who supported, encouraged and sustained me to pursue it. It also is dedicated to the people of Edenton, N.C., some of whom helped research it, all of whom deserve an ending to this story.

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CHAPTER 1

WITCH HUNT HISTORY

In early 1989, the first press report of what was to become the longest and costliest criminal trial in North Carolina history appeared as a brief item in an Elizabeth City newspaper. The seven-paragraph Page 2 story reported that state social-services officials and day-care regulators were investigating “alleged child abuse” at the Little Rascals Day Care center in Edenton.¹ Within three years, the story had widened dramatically. International attention had been drawn to seven defendants facing 429 charges of sexual abuse involving 29 preschool-age children² who attended the Little Rascals Day Care center in Edenton, a small waterfront town of about 5,200 inhabitants in the largely rural eastern North Carolina county of Chowan.

Media attention peaked in 1992 when the first defendant tried in the case was convicted³ and sentenced⁴ to 12 consecutive life terms in state prison, reported to be the longest sentence imposed in state history,⁵ for molesting a dozen children ages 2 to 5 over a period of three years.⁶ Press reports on the case continued to appear as the remaining six defendants were dealt with by the courts, but news

¹ “Day care center being investigated,” *Elizabeth City Daily Advance*, 1 February 1989, p. 2.

² Jerry Allegood, “Listen to the children,’ say both sides in abuse trial,” *Raleigh News & Observer*, 5 January 1992, p. 1A.

³ Jerry Allegood, “Kelly ‘guilty’ of 99 charges,” *Raleigh News & Observer*, 23 April 1992, p. 1A.

⁴ Jerry Allegood, “Kelly begins serving 12 life terms,” *Raleigh News & Observer*, 24 April 1992, p. 1A.

⁵ *Ibid.*

⁶ Jerry Allegood, “Abuse suspect readies rebuttal,” *Raleigh News & Observer*, 22 January 1992, p. 1B.

media attention dwindled following conviction of the second defendant,⁷ whose trial largely echoed the first.

By the time the case's last three defendants had their day in court in late 1996,⁸ however, the predominant news focus of the case had shifted. Prosecutors had dismissed all charges against the last three defendants and were facing editorialists' questions⁹ about their planned retrial of the first defendant, whose conviction, along with the second defendant's, had been overturned on appeal for prosecutors' "flagrant violations" of courtroom rules.¹⁰

This shift in news media focus had occurred over a period of eight years. The period began as the nation's longest and costliest criminal trial – the McMartin Pre-School case – was ending in California without a single conviction. Despite the outcome in California, district attorneys proceeded with similar day-care cases elsewhere around the country,¹¹ including in North Carolina, where prosecutors

⁷ Jerry Allegood, "Jurors convict Rascals cook," *Raleigh News & Observer*, 27 January 1993, p. 1A.

⁸ Craig Whitlock, "3 Rascals abuse cases dismissed," *Raleigh News & Observer*, 17 December 1996, p. 1A.

The three Little Rascals defendants whose cases were dismissed in December 1996 were Robin Boles Byrum, Darlene Harris Bunch and Shelley Alyce Stone. Defendant Willard Scott Privott pleaded no contest in June 1995. Defendant Elizabeth T. Kelly pleaded no contest in January 1994. Her husband and day-care co-owner, Robert F. Kelly Jr., was convicted and sentenced in 1992. His conviction was overturned by the state Court of Appeals in May 1995. Defendant Kathryn Dawn Wilson's 1993 conviction was overturned by the same Court of Appeals ruling. As of April 23, 1997, prosecutors had no scheduled retrials for Robert Kelly or for Kathryn Dawn Wilson.

⁹ "Rascals case crumbles," *Raleigh News & Observer*, 19 December 1996, p. 30A.

¹⁰ Todd Richissin and Trish Wilson, "Rascals convictions overturned," *Raleigh News & Observer*, 3 May 1995, p. 1A.

¹¹ Personal correspondence with author Debbie Nathan, 13 September 1996.

Ms. Nathan and co-author Michael Snedeker unsystematically documented 72 individuals charged in ritual sex-abuse cases involving 33 day-care centers and similar child-care facilities in 25 U.S. communities between 1983 and 1991. Of those 72 individuals, 46 were convicted and 15 remained in prison.

Similarly, September 13, 1996, personal correspondence with Prof. Mary deYoung, Ph.D., a professor of sociology at Grand Valley State University, Allendale, Michigan, produced roughly comparable figures compiled by Prof. deYoung on 25 day-care ritual-sex-abuse cases around the nation.

thoroughly studied the McMartin trial¹² before filing charges in the Little Rascals case.

Although the Little Rascals case remains active today, contemporaneous questions were raised about its investigation and prosecution. During the trial of defendant Robert F. Kelly Jr., the first of the seven defendants to be tried in the case, for example, experts testified that questions posed to alleged child victims by therapists, police and other adult authority figures may have led the children to make false accusations.¹³ Leading questions posed to preschool-age children by therapists led jurors in the McMartin case to acquit the defendants, and similar interrogations have persuaded appellate courts elsewhere around the country to overturn convictions based in part on questionable accusations extracted from very young children.

The questions that arose in the court cases in California and North Carolina had been raised years – even centuries – earlier in the annals of American jurisprudence and psychology. Yet local news media in neither Los Angeles¹⁴ nor

See also: Hopkins, Carol L. (22 September 1995). Letter to U.S. House Judiciary Committee. Copy in possession of author, “Congress” file, Witchhunt1 disk.

Ms. Hopkins, a member of a San Diego grand jury that considered and rejected indictments against suspects in a ritual child-sex abuse case in the 1980s, now a leader of an organization called the Justice Committee, wrote that the McMartin case “is only one of well over a hundred and fifty (150) such cases.”

¹² Julie Powers Rives, “Rascals verdict affirms children’s credibility,” *Raleigh News & Observer*, 26 April 1992, p. 1A.

¹³ Jerry Allegood (1992, January 17). ‘Leading questions’ to Rascals children cited. *Raleigh News & Observer*, p. B5.

“Throughout the therapists’ manuscripts there were very leading questions,” testified one expert, Dr. Henry E. Adams, a clinical psychologist from Athens, Ga. “The children were encouraged to describe how they had been abused consistently.”

¹⁴ David Shaw, “Media skepticism grew on McMartin case,” *Los Angeles Times*, 21 January 1990, p. A34.

Times media critic David Shaw wrote: “No local media did enterprise stories on McMartin of the depth and breadth provided by the Memphis series, the American Lawyer articles or Gorney’s *Washington Post* articles. Nor did the local media, with rare exception, do the stories it traditionally does on an event like McMartin.”

Edenton examined those questions in any depth during the cases' trial phases. Reasons for this failure may include normative and legal constraints on news gathering and publishing. For example, North Carolina state law prohibits official disclosure of information about ongoing criminal investigations. Under the circumstances, gathering information about questionable interrogations conducted in therapy sessions would be a difficult and complex undertaking for a small reporting staff on a tight budget, such as the news staff of *The Chowan Herald*, the local newspaper published weekly in Edenton.

Witch hunt history

This lack of news investigation and an almost exclusive and unskeptical reliance on official events and sources were tantamount to an abdication of the press' watchdog responsibility. This act of omission helped supply ingredients for a witch hunt. A witch hunt, as defined by the American Heritage Dictionary, is "an investigation carried out ostensibly to uncover subversive activities but actually to harass and undermine those with differing views."

Witch hunts this century have been politically motivated. The "differing views" indicated in the dictionary definition often have been those associated with the more democratic and capitalist West and with Soviet Communist Russia. More recent witch hunts involving alleged ritual child-sex-abuse conspiracies, however, reflect little or no political ideology, other than the political ambitions of some prosecuting attorneys, perhaps.

Neither witch hunts nor press passivity in them are new in this country. Periodically this century U.S. government officials have launched intensive searches for subversives – people suspected of attempting to overthrow the government or to undermine the social order. Sometimes the searches have been conducted inside the government, sometimes outside, sometimes both at the same time. Despite

repeated evidence of injustice and injury resulting from the rush to judgment that typifies such witch hunts, they periodically revive – and injustice and injury recur.

Witch hunts, also referred to by social scientists as “delusions”¹⁵ and “moral panics”¹⁶ and by political scientists as “political hysterias,”¹⁷ have domestic roots in Colonial America. One of the most infamous cases occurred more than 300 years ago in Salem, Mass., where townspeople executed 20 men and women for alleged witchcraft.¹⁸ Witch-hunt roots in Europe are even deeper. From the late 15th to the late 18th centuries, and even later, perhaps millions were killed in systematic campaigns to eradicate witches.¹⁹

Most familiar to 20th century Americans is the Red scare period that began shortly after World War II. The period of hysteria reached its peak between 1950 and 1954, when the U.S. Senate censured Wisconsin Republican Joseph McCarthy following the senator’s campaign against alleged Communists in government.

¹⁵ Anthony Oberschall, professor of sociology, interview at University of North Carolina at Chapel Hill, 22 April 1997.

¹⁶ P. Jenkins and D. Katkin-Maier (1992). Satanism: Myth and reality in a contemporary moral panic. *Crime, Law and Social Change*, 17, p. 53.

¹⁷ M.B. Levin (1971). *Political hysteria in America: The democratic capacity for repression*. New York: Basic Books.

¹⁸ J. Hale (1702). *A modest inquiry into the nature of witchcraft*. (quoted in Starkey, M.L. (1989). *The devil in Massachusetts*. New York: Anchor Doubleday.)

For witch hunts in the Revolutionary War period, see: Smith, J.A. (Summer-Fall 1993). War as monarchial folly in the early American press. *American Journalism*, Vol. 10, No. 3-4, p. 496: “Despite its Enlightenment aspirations of concentrating on peaceful pursuits, isolated from the conflicts of other countries, the United States found itself tormented by fears of foreign nations and reacting with near hysteria. In particular, the Sedition Act demonstrated the willingness of some Americans to disregard the Bill of Rights and to attempt to silence those who expressed dissenting views.” Smith suggests, as does Levin, that external forces and perceived threats exert powerful influences on witch hunts. In the case of the child-sex-abuse cases in question, many observers suggest that changes in sexual mores and family values exerted such influences.

¹⁹ Anthony Oberschall, *Social Movements* (New Brunswick, N.J.: Transaction Books, 1993), Chapter 7, “Beliefs and Ideologies: The European Witchcraze,” pp. 187-211.

See also: Carl Sagan, *The Demon-Haunted World* (New York: Random House, 1995), p. 123.

And: Hans Sebald, *Witch-Children: From Salem Witch-Hunts to Modern Courtrooms*. (Amherst, N.Y.: Prometheus Books, 1995).

Concerns over the erosion in civil liberties appeared in the press during the period. But it was primarily government action – the U.S. Army’s finding that McCarthy used improper influence to assign a colleague to non-combat duty during the Korean War – that contributed most to the senator’s downfall, not press initiative, although broadcasts of the Senate Army-McCarthy hearings and a report aired by CBS-TV journalist Edward R. Murrow are widely credited with contributing to McCarthy’s political eclipse.²⁰

Media commentators frequently cite the McCarthy period as the pivotal point in press awareness of the need to go beyond “straight” objective reporting and to provide more in-depth interpretive accounts containing not just facts truthfully presented but the truth about the facts, to paraphrase the report of the Commission on Freedom of the Press (the Hutchins Commission) issued in 1947, three years before the McCarthy period began.²¹ But the first episode of debate over press objectivity and news interpretation began 30 years earlier, shortly after the outbreak of World War I. Most Americans were stunned by the news, and press scholars and professionals began to argue for the need to supply more meaning to U.S. readers to avoid such surprises in the future.²² Soon, *Time*, the first weekly magazine to provide interpretive accounts of news events, began publication.²³

Shortly after the World War I, in a pattern that would repeat itself three decades later in the McCarthy period, the government began a witch hunt for Bolsheviks during the nation’s first Red scare following the armistice and the

²⁰ Edwin R. Bayley (1981). *Joe McCarthy and the press*. Madison: University of Wisconsin Press.

²¹ Margaret Blanchard (1977, May). The Hutchins Commission: The press and the responsibility concept. *Journalism Monographs* , 49, pp. 1-59.

²² Curtis MacDougall (1968). *Interpretive Reporting* , 5th ed. New York: Macmillan, p.15.

²³ Ronald Shilen (1955).The Concept of Objectivity in Journalism. Unpublished doctoral dissertation, New York University, p. 85.

Russian revolution. U.S. Attorney General A. Mitchell Palmer spurred the arrests of thousands of citizens and the deportation of several hundred aliens. During this period, anarchists Sacco and Vanzetti were arrested, tried and executed, despite evidence of their innocence and the state's suppression of it.²⁴

More recently, numerous press accounts describe as witch hunts the prosecutions of operators, employees and others connected with child day-care facilities nationwide, as well as in other Western nations. In North Carolina, the Little Rascals Day Care prosecution is such a case. The North Carolina case is not unique. Since the early 1980s, dozens of similar ritual-sex-abuse cases connected with child-care facilities have been brought to trial around the country. Many have been overturned. What prompted these cases?

For witch hunts to occur in this country, neither a police state nor a concentration camp are necessary, writes Levin (1971):²⁵ "A Goebbels-like propaganda agency would not be necessary," Levin continues. "Promotional material would be supplied, as it was during the Red scare, by the mass media."

Levin refers to the period in 1919-20 when Attorney General Palmer mounted his campaign against Bolsheviks. At its peak on Jan. 2, 1920, the campaign rounded up more than 4,000 alleged radicals in 33 cities in 23 states.²⁶ To ensure press enlistment in the effort, Palmer's Justice Department supplied newspapers and magazines with specimen pages of stories and cartoons and picture plates free of charge.²⁷ Many publications accepted the materials and published the proffered stories. But when Palmer lost the Democratic Party nomination for president in 1920

²⁴ Benjamin H. Bagdikian (1990). *The Media Monopoly*. Boston: Beacon Press, p. xv.; See also: Levin, p. 5.

²⁵ Levin (1971), p. 255.

²⁶ *Ibid.*, p. 57.

²⁷ *Ibid.*, p. 53.

and when nominee Warren Harding declared that “too much has been said about radicalism in America,” the press deserted Palmer. “The Fighting Quaker,” as Palmer was called at the height of his campaign, became “the Fighting Faker” and “the Quaking Quitter.”²⁸

Using the nation’s first Red scare as his guide, Levin listed the ingredients needed for a witch hunt. They include major institutions or elites fearful of perceived threats to their power (big business fearful of leftist labor, in the case of the Palmer raids) and appeals to deep-seated forces and fears that lie dormant just below the surface of American thought. These forces and fears include nativism, anti-intellectualism, a sense of rootlessness and anomie, a fear of loss of status, xenophobia, shallow commitments to diversity and dissent, a paranoid style in American politics coupled with a bipartisan or non-partisan approach to the issue, a tendency toward conspiratorial thinking, and the presence of a stressful situation.²⁹ Similar forces and fears were noted by sociologist James Coleman in his 1957 monograph on community conflict.³⁰ Another sociologist, Daniel Bell, associated such fears, which he characterized as fear of modernity itself, with residents of small towns, for example, who feel anxiety over and increasingly urban and technocratic society.³¹

The elements cited by Levin, Coleman and Bell were present in the nation’s second Red scare during the post-World War II era, culminating in the McCarthy period of 1950-55. Bayley (1981) concludes that the press allowed itself to be used,

²⁸ Ibid., p. 87.

²⁹ Ibid., p. 88

³⁰ James S. Coleman (1957). *Community Conflict*. New York: The Free Press of Glencoe, p. 7.

Coleman, writing at the height of the McCarthy period, said a key ingredient of such contemporary conflicts is “a national climate of fear and distrust.”

³¹ Daniel Bell (1963). *The Radical Right*. New York: Doubleday & Company Inc., pp. 1-38.

willingly or not, by the Red-baiting Wisconsin senator. The press showed timidity on the part of wire-service reporters covering McCarthy, fear of controversy by publishers and a lack of press understanding of issues involved in McCarthy's campaign against Communists alleged to have infiltrated government and other institutions.³²

Three decades later, the media repeated many of the same errors in one of the earliest child-sex-abuse cases involving a day-care center – the McMartin case in Los Angeles County, Calif.³³ In an analysis that echoed Bayley's criticisms of the press during the McCarthy period, media critic David Shaw said reporters on the McMartin story were overzealous, cozy with prosecutors, dubious that authorities would charge people with such horrendous acts without possessing convincing evidence of guilt, and unwilling to raise questions or objections because, as some Los Angeles reporters and editors asserted, it is not the journalist's role to do so under the norms of objectivity.³⁴

Shaw's criticism revisited a debate that had been conducted – and settled – among news professionals thirty years earlier. Strict objectivity without interpretation was argued at length and rejected resoundingly by such professional institutions as the Associated Press Managing Editors Association during the McCarthy period. After five years of occasionally bitter debate over objective and interpretive news reporting – much of it devoted to McCarthy's exploitation of news objectivity's rigid rules that assigned great value to a U.S. senator's remarks, no matter what he said – the APME in 1955 endorsed without objection an interpretive approach to news

³² Bayley, p. 218.

³³ D. Shaw (1990, January 19). Where was skepticism in media? Pack journalism and hysteria marked early coverage of the McMartin case. Few journalists stopped to question the believability of the prosecution's charges. *Los Angeles Times*, p. A1.

³⁴ *Ibid.*, p. A20.

reporting based largely on the social-responsibility theory of the press espoused by the Hutchins Commission eight years earlier.³⁵

When the McMartin story first broke in February 1984, sensational child-sex-abuse cases were not new, nor were they new to Southern California. In 1982, two years before the McMartin case began, prosecutors in Bakersfield, in nearby Kern County, California, initiated one of the nation's earliest "sex ring" cases.³⁶ But during six years of coverage of the McMartin case by the *Los Angeles Times*, the leading prestige newspaper covering the story regularly, the paper never undertook a major investigative story on either the Kern County or the McMartin cases mounted by prosecutors.³⁷ Such silences have characterized news coverage of similar cases nationwide, including the Little Rascals case in North Carolina.³⁸

Complexity provides another confounding factor in news reporting of witch hunts. During the McCarthy period, for example, reporters – particularly wire-service

³⁵ APME Red Book (1955). *An Account of the Annual Convention of the Associated Press Managing Editors Association at Colorado Springs, November 16-19, 1955, and Reports of the 1955 APME Continuing Study Committees* (New York: Associated Press, p. 200.

See also: *A Free and Responsible Press*. Commission on Freedom of the Press. Chicago: University of Chicago, 1947.

See also: Hocking, W.A. (1947). *Freedom of the Press : A Framework of Principle -- A Report From the Commission on Freedom of the Press*. Chicago: The University of Chicago Press, p. 169: Hocking, a member of the Hutchins commission who wrote this companion volume to the commission report, delivers an early endorsement of public journalism: "Freedom of the press 'has changed its point of focus from the editor to the citizen.'"

See also: Schudson, M. (1978). *Discovering the News: A Social History of American Newspapers*. New York: Basic Books, pp. 185-186. Schudson, citing Tuchman, writes that critics of objectivity in news argue that resulting bias is a consequence, intentional or not, of social forms and professional processes. As a "strategic ritual," objectivity becomes a set of strict conventions that persist to reduce the exposure of reporters and editors to professional wounds that would damage their careers.

³⁶ Carol Hopkins (1995, December 24). Justice Committee, San Diego, CA., post on World Wide Web list witchhunt@mitvma.mit.edu.

³⁷ Shaw (1990, January 22). Times McMartin coverage was biased, critics charge. *Los Angeles Times*, p. A16.

³⁸ D. Nathan and M. Snedeker (1995). *Satan's silence: Ritual abuse and the making of a modern American witchhunt*. New York: BasicBooks, p. 7.

reporters and others sensitive to the senator's exploitation of the press – said they struggled, often unsuccessfully, with the McCarthy story's myriad dimensions.³⁹ Similarly, reporters who wrote about the McMartin case described the same difficulties in grappling with the far-reaching story.⁴⁰

Further, media scholars have noted that the form of the news story often incorporates its own biases – in favor of statements of fact that are observable and unambiguous, in favor of events rather than processes or patterns, and in favor of conflicts rather than less dramatic happenings. Critics contend that the news-story form generally reinforces existing power structures by favoring institutions that are most oriented to and best able to control events. Powerful institutions, particularly governments, are attuned to the event-orientation of reporters and so may manipulate them more easily, while social movements and reformers maintaining an issue orientation tend to be ignored by journalists, at least until reformers too can gain the power to stage or participate in events.⁴¹ Even authorities have wished for less media emphasis on the official side of witch hunt stories.⁴²

Why do news media keep repeating the same errors in witch hunts? Obviously, when decades pass between events, circumstances differ, players change and institutional memories fail. Normative theorists add that the errors might decline if media would adhere to a social-responsibility approach to news in which

³⁹ Bayley (1981), p. 68.

⁴⁰ Shaw (1990, January 21). Media skepticism grew on McMartin case. *Los Angeles Times*, p. A34.

⁴¹ G. Tuchman (1978). The exception proves the rule: The study of routine news practices. In P. Hirsch, P. V. Miller and F. G. Kline (Eds.), *Methodological Strategies for Communication Research*. Beverly Hills: Sage Publishers.

⁴² See: Shilen (1955), p. 135, noting an address by President Dwight D. Eisenhower to the American Newspaper Publishers Association, April 1954, in which the president endorsed the principles of interpretive reporting at a point when Senator Joseph McCarthy reached the beginning of the end of his political career. See also: Shaw (1990, January 22), in which prosecutors said they wished the media had asked more questions and stated more objections during the early stages of the case that by then had concluded without a single conviction.

the press would exercise its watchdog role by scrutinizing institutions and by emphasizing cultural pluralism – expressing the voice of all constituent groups in society, not only elite or dominant groups.⁴³ But theories of influences on mass-media content suggest that other forces may work against the ideal of social responsibility. For example, events are more likely to be covered than issues, shortchanging audiences on depth, substance and understanding. And when issues are addressed in news stories, official views and vested interests are more likely to be presented, again shortchanging audiences on diversity, depth and understanding.

Gatekeeping theory suggests that journalistic routines also may work against thorough reporting of witch hunts. Gatekeeping involves media selection, shaping and relaying of information on deadlines that can hamper reporting of the whole truth. Further, the inverted pyramid style of news writing presents information in stories according to how significant the journalist thinks it is, often with authorities appearing higher in the story – and thus more prominently – than non-official sources. And the ritual of objectivity – adherence to strict rules of balancing divergent views within stories – often means that standard procedures will be followed in reporting news, even in non-standard events.⁴⁴ Thus, when controversial figures and movements are covered by reporters, casual methods and lack of understanding often characterize their work. Statements of non-official sources are “balanced” with views of opposing authorities and officials, and movement leaders usually are cast in the most controversial light.⁴⁵

⁴³ S.J. Baran, S.J. and D.K. Davis (1995). *Mass communication theory: foundations, ferment, and future*. Belmont, Calif.: Wadsworth Publishing Co., p. 95.

⁴⁴ P.J. Shoemaker and Stephen D. Reese (1996). *Mediating the message: Theories of influences on mass media content* (2nd ed.). White Plains, N.Y.: Longman Publishers USA, p. 265.

⁴⁵ G. Tuchman (1978). *Making news: A study in the construction of reality*. New York: Free Press. (cited in Baran & Davis, p. 335)

When media are faced with news stories involving perceived deviance – suspected political subversion or alleged ritual child molesting, for example – media typically provide suspect groups with less favorable coverage.⁴⁶ The more deviant the media perceive a group to be, the more likely the group will be stereotyped pejoratively.⁴⁷ And the more deviant, the less likely that journalists will provide balance in stories.⁴⁸

In cases involving alleged ritual child sex abuse at day-care centers, application of normative and gatekeeping theories would suggest that news media exhibited many of the same shortcomings that have characterized comparable periods of moral panic and political hysteria in other eras of 20th century mass communications history. Thus, media repeatedly and unskeptically emphasized official accounts of alleged deviance and wrongdoing and de-emphasized or in some cases failed to report the story of suspects in ritual child-sex-abuse cases.

An absence of news coverage also can reveal press norms, values and news judgments, although they may only be inferred. These editorial omissions have been described as “strategic silences” and defined as what goes unreported in news media.⁴⁹ In its coverage of the McMartin case, for example, David Shaw, the *Los*

⁴⁶ Shoemaker and Reese (1996), p. 225.

⁴⁷ *Ibid.*, p. 270.

⁴⁸ *Ibid.*, p. 265.

See also Schudson (1978), p. 194: The people who control the mass media “are not neutral, unbiased computers. They have a mind-set. They have definite lifestyles and political values, which are concealed under a rhetoric of objectivity. But those values are organically institutionalized ... into their own corporate bureaucracies. Among those unspoken but organic values are belief in welfare capitalism, God, the West, Puritanism, the Law, the family, property, the two-party system, and perhaps most crucially, the notion that violence is only defensible when employed by the state.”

⁴⁹ R. Lentz (1991, Winter). The search for strategic silence: Discovering what journalism leaves out. *American Journalism* 8:1, p. 12.

Silences also may be logistical. The media’s first story on the McMartin investigation, for example, was delayed three weeks by the television reporter who aired it -- at the beginning of “sweeps” month in February 1984. See Shaw (1990, January 20), p. A1.

Angeles Times ombudsman, reported that the newspaper's numerous strategic silences during its six years of coverage of the case supported critics' complaints that the paper exhibited a strong bias in favor of the prosecution and against the defendants. Shaw reported that the newspaper never published a major investigative piece examining the prosecution's case during six years of coverage, although such coverage is commonly applied to other stories. A study by the Duke University Center for the Study of Communications and Journalism concluded that pretrial media coverage overall was overwhelmingly negative toward the defendants.⁵⁰

On the other hand, media coverage eventually swung in the opposite direction and became almost as biased against the prosecution as it had been against the defense throughout most of the six-year case.⁵¹ As sociologist Coleman wrote during the McCarthy witch hunt, the involvement of national prestige media tended to apply a corrective – however belatedly – to intense local conflicts and appeared to frame them as irrational and ridiculous.⁵²

An example of a strategic silence may be media failure to report the growing body of research into child eyewitness testimony, child suggestibility and memory in general in the context of the day-care criminal trials, despite the research being prompted largely by the recent, dramatic and unprecedented wave of children appearing in courts to testify in child-abuse cases. Conclusions are not unanimous,

⁵⁰ Shaw (1990, January 19), p. A20; Shaw (1990, January 22), pp. 16-18.

⁵¹ Shaw (1990, January 19), p. A20.

Shaw also notes, however, that the defense avoided telling its story to the news media as a part of its legal strategy, although the avoidance persisted later as a result of perceived bias against its case.

⁵² Coleman, p. 24.

Coleman wrote: "It appears that these responsible and respectable media have modified the intensity of disputes by viewing them in a new context, dispassionately, making them appear irrational and sometimes even ridiculous. In the glare of national attention, some disputes have cooled and dissipated more quickly than they might have otherwise. National media, presenting disputes in the context of a norm of orderly democratic processes, have apparently served as a valuable aid in keeping controversy within the bounds of reasonable debate."

but much of the research has raised doubts about child testimony in such cases as the Little Rascals.⁵³

Among media audiences and society at large, influences such as a generalized fear for young children, fed by guilt among working parents about their child-rearing responsibilities, and by unsubstantiated urban legends of thousands of vanishing children helped foster the elements of moral panic needed to fuel a witch hunt.⁵⁴ The comparative powerlessness of many of the accused perpetrators – one California defendant in a child-sex-abuse case involving a day-care center was mentally deficient, for example; such defendants have occupied low to middle socio-economic levels – abetted the official effort.

Officials, meanwhile, have the backing and support of an entire bureaucracy created by federal law specifically to address allegations involving children. Since 1973, when Congress adopted the Mondale Act to encourage reports of suspected child abuse, numbers of unsubstantiated cases have risen dramatically, often fed by people whose livelihoods depend on bringing more reports into the system.⁵⁵ Numbers of *substantiated* child-abuse cases, however, have remained stable or fallen slightly.⁵⁶

⁵³ S.J. Ceci and M. Bruck (1995). *Jeopardy in the Courtroom: a Scientific Analysis of Children's Testimony*. Washington, D.C.: American Psychological Association, pp. 94-105.

⁵⁴ Nathan and Snedeker, pp. 35-38.

⁵⁵ A. A. Brott (1995, August 27). The abused system. *Orange County Register*, p. A1 (cited by Hero, G. [1996, March 1]. post on World Wide Web list witchhunt@mitvma.mit.edu.)

The article reports: "In most states, child abuse investigations are supposed to be handled jointly by law enforcement officials and by local Child Protective Services workers. In general, police officers have received extensive training in investigative techniques and, at least ostensibly, are neutral. Most CPS workers, on the other hand, don't even make a pretense of neutrality.... In fact, many CPS workers refer to themselves as 'validators' -- a term that at best raises questions about their objectivity.... CPS' approach to child abuse allegations, therefore, is based on the assumption that abuse took place -- an assumption incompatible with the role of neutral investigator...."

⁵⁶ Ceci and Bruck, p. 25.

Hypotheses

A primary hypothesis of this research, then, is that news media emphasize the views of authorities over those of individuals. This news bias in favor of authorities especially devalues individuals involved in witch hunts by assigning more weight and validity to the prosecutors and marginalizing suspects as political or social deviants, or worse – child molesters.

Moreover, individuals – suspects – often lack the ability to control the events on which the news media depend for most of their coverage, putting the individuals at an additional disadvantage in media accounts of their involvement in witch hunts. Even allowing for legal strategies by defense attorneys who studiously avoid participation in pre-trial publicity of their clients' cases, a media focus on events compounds the problem of deviant or minority-group access by avoiding a focus on patterns of events and on political and social structures that underlie and influence events.⁵⁷ Failure to exhibit these deeper understandings of news events tends to ensure a more shallow report that reinforces existing power structures and the status quo at the expense of individuals and groups that are portrayed as standing outside or as defying the existing structures, thus becoming marginalized. These practices also tend to focus media attention on extremes rather than the middle ground in defining newsworthy developments. Thus, the media tend to emphasize the latest shocking revelation instead of examining the strength of a prosecutor's case.

This events-oriented approach to news coverage of witch hunts also mitigates against one of the basic tenets of interpretive reporting, a practice adopted as a news-reporting norm following lengthy professional debate in the early 1950s. The

⁵⁷ Shaw (1990, January 19), p. A20.

The attorney for the defendants in the McMartin case made an effort to avoid contact with news media, awaiting what he said was a return to "rationality." When attorney first granted an interview, it was with broadcast journalist Mike Wallace with CBS-TV's "60 Minutes," a program that the attorney felt would supply a more reasonable frame and perspective on the case, much as sociologist James Coleman had noted of community conflicts during the McCarthy period.

debate settled the question of whether prior news developments – background – should be included in Associated Press reports during the McCarthy era in an effort to offer readers more understanding – the “why” – of the senator’s Red-baiting activities. Opponents of such reporting, who argued that background information violated a fundamental tenet of strict news objectivity, lost the debate.

Similarly, the lack of background information and perspective in news stories about recent witch hunts involving child-day-care facilities indicates either that the sensationalism and emotion of witch hunts tend to overcome the progressive press norm of news interpretation, by now a tradition after more than four decades of incorporation into otherwise common news practice, or that a lack of institutional continuity may exist in newsrooms, which encourages a regression to an older form. On the other hand, media that have the additional perspective of distance from the developments – *Washington Post* coverage of the McMartin case, for example – are more likely to offer context that yields greater meaning – the “why” – from such coverage.⁵⁸

A final hypothesis is that news coverage of witch hunts tends to be marked by wide swings in emphasis and bias – generally against suspects in early stages, then, often after a period of several years, against authorities as early witch hunt excesses become evident.

These patterns of press shortcomings in coverage of witch hunts are evident in both the McCarthy era, during which the shortcomings were debated openly and after which lessons were drawn, and the day-care ritual-sex-abuse period, during which the lessons were largely ignored. The Edenton day-care story is one in which press coverage reflects a failure to apply the McCarthy period’s lessons and to avoid the errors of the past.

⁵⁸ Coleman, p. 24.

See also: Shaw, D. (1990, January 21). Media skepticism grew on McMartin case. *Los Angeles Times*, p. A34.

CHAPTER 2

PRESS PERFORMANCE IN WITCH HUNTS

On February 9, 1950, U.S. Senator Joseph McCarthy spoke at the Lincoln Day dinner of the Ohio County Women's Republican Club at the McClure Hotel in Wheeling, West Virginia. In his speech, the senator declared that 205 Communists were at work in the U.S. State Department.⁵⁹ Few newspapers published the Associated Press account of the speech in their February 10 editions, and fewer editors grasped – that day or that month – the significance of the senator's claim.⁶⁰ The claim, some historians later asserted, was only the senator's belated grab at an already vintage political issue in an effort to boost his flagging re-election prospects.⁶¹

But at the time, McCarthy and his campaigns to win re-election and to uncover Communists dominated headlines and succeeded for nearly five years because his crusades struck a chord among Americans as the Cold War era dawned. Also, and perhaps more importantly, the senator's campaigns depended on the press' rigid adherence to the doctrine of news objectivity to sustain them.

Reporters obliged, despite misgivings by some. Writing in 1953, for example, Washington reporter Ronald May described how the patterns of press objectivity and accompanying passivity set in early during the McCarthy era. Shortly after the senator charged that Communists were working in the State Department, May wrote, reporters confronted McCarthy and demanded that he name names: "Of course," he answered, rummaging through his briefcase as flash bulbs popped. Then, surprised

⁵⁹ Bayley, p. 17.

⁶⁰ Ibid, p. 18.

⁶¹ Richard H. Rovere (1973). *Senator Joe McCarthy*. New York: Harper & Row, p. 120.

and apologetic, he explained that the list was packed in his luggage on the plane. So McCarthy's technique emerged."⁶²

The result of the press' failure to report McCarthy's responses in the context of his constant dodging, said radio broadcaster Elmer Davis in 1952, was "a cult of incredibility" that "permeated the American press" in which newspapers became "unwitting or unwilling accomplices in creating an atmosphere in which prejudice, half truths and misinformation bloom with noisome stench."⁶³

Press objectivity had other more insidious effects. Since the press doctrine called for certification of nearly every fact by a public official or a person with a title, the news increasingly had come to be presented by authorities. That contributed to one of the nation's worst journalistic failures – the story of McCarthyism. The senator's use of "the big lie" was swallowed – not always willingly – by reporters and their newspapers because the senator was "a certifying authority under the rules of objectivity."⁶⁴

The practice of objective or "straight" reporting was less a matter of devotion than of expediency.⁶⁵ Wire service competition was keen. Reporters for the three services – the Associated Press, the United Press and the International News Service – strained to get a two-minute "beat" on the competition during the McCarthy period. The pressures of time worked against interpretation. And what little interpretation the wire services offered usually was regarded with suspicion by many

⁶² Ronald May, "Is the Press Unfair to McCarthy?," *New Republic*, April 20, 1953, p. 10.

⁶³ Elmer Davis, "News and the Whole Truth," *Atlantic*, August 1952, p. 35.

⁶⁴ *Ibid.*, p. 130.

This overemphasis on the official source marks news reporting's greatest weakness still, say many adherents of "citizen-based" journalism.

⁶⁵ In addition to being described as "straight" reporting, objective news writing also has been called by its advocates as "deadpan" and "old-fashioned" reporting.

editors at newspapers that were clients of the wire services, which provided Americans with almost 85 percent of the published news accounts about McCarthy.⁶⁶

One of the first reporters to point out the drawbacks of objectivity in covering McCarthy was Richard L. Strout of the *Christian Science Monitor*. In the newspaper's May 27, 1950, issue, about three and a half months after the senator's historic Wheeling speech in which he first alleged Communist infiltration of the federal government, Strout wrote: "If the reporter had been permitted the freedom of interpretive reporting customarily followed by the great dailies abroad, he could have commented as well as reported. He would have been an historian as well as a photographer with words. But he would have violated one of the dearest rules of American journalism."⁶⁷

Six months later broadcaster Elmer Davis told an audience at the University of Minnesota that objective reporting too often made a newspaper "a mere mouthpiece for pretentious phonies."⁶⁸

The observations by Davis and Strout soon after Senator McCarthy's February 1950 launch of his infamous career as a Communist-hunter show that respected journalists were well aware of the shortcomings of news objectivity and how its rigid rules of "straight reporting" easily could be exploited by a demagogue. As recognition of objectivity's failures grew among journalists and editors, so did recognition that news interpretation was needed. Interpretation and the need to make news events more meaningful to readers had roots in the Commission on Freedom of the Press (the Hutchins Commission), which issued its report favoring a

⁶⁶ Bayley, p. 66 (unnumbered footnote).

⁶⁷ Richard L. Strout, "Ordeal by Publicity: McCarthy Hearings Prove Once More the Distorting Effects of Straight Reporting," *The Christian Science Monitor Sunday Magazine*, May 27, 1950, p. 5.

⁶⁸ Davis, p. 32.

more socially responsible and less individualist libertarian press in 1947, three years before the McCarthy period began.

A call for more meaningfulness in news stories backed by a moral responsibility to provide it resonated among news-interpretation advocates. They argued that straight reporting of statements attributed to Senator McCarthy tended to allow him, in effect, to lie in print without providing adequate background or context to balance or refute the senator's accusations and charges. In 1950, one new Washington correspondent described the process this way: "Faced with a phenomenon as complex as McCarthyism, the 'straight' reporter has become a sort of straitjacketed reporter. His initiative is hogtied so that he cannot fulfill his first duty, which is to bring clear understanding to his reader. It results in a distortion of reality."⁶⁹

The moral failings of the objective press in the McCarthy era were noted by Washington Post editorial writer Alan Barth: "This comes, I think, very close to irresponsibility.... This kind of journalism makes the press a partner in a corruption of the democratic process.... [Newspapers] are being hoist, it seems to me, by their own tradition of objectivity."⁷⁰

Interpretive reporting, by contrast, was defined in 1952 by one supportive newspaper editor this way: "I think it is our job not only to tell our readers that a particularly loud noise has been heard in the land, but also to indicate – on the basis

⁶⁹ Douglass Cater, "The Captive Press: How a Senator Can Monopolize the Loudspeaker," *Nieman Reports*, July 1950, p. 40.

A sidebar to Cater's piece, published five months after Senator McCarthy's inaugural February 1950 Communist-hunting speech, describes him as joining the Washington press corps "just as McCarthyism seemed to be taking over the whole organism of public opinion-making in America."

⁷⁰ Alan Barth, "A Moral Challenge to the Press," *Nieman Reports*, July 1952, pp. 16-17.

of skill and information, not prejudice – whether it is the crack of doom, or only a big noise from a big mouth.”⁷¹

Most reporters failed to report the full interpretive story on McCarthy. But interpretive news eventually attracted a majority among their editors. By 1953, a survey of American newspaper editors showed 80 percent of them “believe interpretation an essential part of a news agency’s job.”⁷² But critics for years resisted the trend toward interpretation and fought as hard for their objective-news traditions as their peers argued for interpretation.

The argument began before the start of the McCarthyism period in 1950, but McCarthy focused the debate sharply and nudged journalists – and sometimes impelled them and their sources – to choose sides.⁷³ Unlike the inaugural 1948 discussion at the annual meeting of the Associated Press Managing Editors Association in Chicago, the objective-versus-interpretive-reporting debate was no always collegial. By the association’s 1950 meeting in Atlanta, the tone of the

⁷¹ Herbert Brucker, “Dodging responsibility,” *The Bulletin of the American Society of Newspaper Editors*, August 1, 1952, p. 8.

⁷² John R. Herbert, “Report From London: An Interpretive article on IPI Meeting by The Bulletin’s Roving Correspondent,” *The Bulletin of the American Society of Newspaper Editors*, June 1, 1953, p. 4.

This story reported on a convention of the International Press Institute in London, where Lester Markel, Sunday editor of The New York Times and chairman of the IPI executive board, endorsed interpretive reporting on another front besides news involving McCarthyism. “I am convinced,” Markel told the convention, “that much of the foreign news we print is not understandable to the average reader.... In these confusing days, the newspaper cannot perform its primary function -- the task of information -- unless it interprets as well as provides the facts.”

⁷³ Even U.S presidents entered the debate. See: Shilen, p. 135, noting an address by President Dwight D. Eisenhower to the American Newspaper Publishers Association, April 1954, in which the president appeared to endorse interpretive reporting: “A free press can discharge its responsibilities by giving all the facts in balance,” Eisenhower said. “Facts in perspective are vital to valid citizen judgments. Knowledge of the facts and their interrelationships is more than ever essential to the solution of human problems.”

President Franklin D. Roosevelt, on the other hand, was opposed to interpretive reporting. See Patrick Washburn, “FDR Versus His Own Attorney General: The Struggle Over Sedition, 1941-42,” *Journalism Quarterly* 62 (1985), p. 718: “Roosevelt believed unequivocally that it was unethical for news articles to include interpretation, as they sometimes did, because this distorted the truth.”

argument had escalated to “tart and sometimes acrimonious,” and one interpretive-news opponent described the substance of the debate as “more serious than the atom bomb.”⁷⁴

But it was not until 1955 that the APME’s endorsement of interpretation put the practice firmly and officially in the profession’s mainstream without objection. In that year an AP managing editor concluded the APME annual convention by noting its “complete acceptance of the interpretive news article as a responsibility of today’s newspaper – on the local level, the state level, the national level and the international level.”⁷⁵

That uncontradicted endorsement of the need for more interpretation and context in daily news stories – especially wire stories – marked a major development in the nation’s journalistic practices. It came almost a full year after McCarthy’s December 2, 1954, censure by the U.S. Senate, an event that boosted pro-interpretation journalists, since the professional fault lines paralleled the political lines that separated pro- and anti-McCarthy journalists. But the AP editors reached their 1955 consensus only after a decade of discussion and five years of often harsh and divisive debate.

The failure to tell Americans the whole story about Senator McCarthy during his heyday amounted to a press failure to uphold its institutional responsibilities, especially its watchdog role.⁷⁶ Comparisons of press coverage of McCarthy and press coverage of such recent witch hunts as day-care child-sex-

⁷⁴ APME Red Book 1950. *Reports and Discussions of the Continuing Study Committees of the Associated Press Managing Editors Association at Atlanta*(New York, 1950), p. 63.

⁷⁵ APME Red Book 1955. *An Account of the Annual Convention of the Associated Press Managing Editors Association at Colorado Springs, November 16-19, 1955, and Reports of the 1955 APME Continuing Study Committees* (New York, 1955), p. 200.

The editor was John Bloomer of the *Columbus (Ga.) Ledger*.

⁷⁶ Bayley, p. 219.

Concluded Bayley of press performance during the McCarthy period: “Its duty is to furnish the information. In the case of McCarthy, the press did not properly fulfill this function.”

abuse cases reveal substantial similarities, noted earlier, but there are some differences. The McCarthy story, for example, was more politically oriented and focused on the traditionally well-covered legislative and administrative branches of the federal government in Washington, D.C., one of the world's leading datelines. The ritual-sex-abuse cases frequently arose well beyond Washington, often in small towns, and focused on small private enterprises – day-care centers – and the judicial branch, a news beat that generally receives less frequent or detailed attention than the other two branches of government, even at larger metropolitan dailies.

But the similarities between press coverage of the McCarthy and the Edenton witch-hunt stories are most noteworthy for their common failures four decades apart. An examination of local coverage in the year after the first Little Rascals story appeared in the Edenton newspaper illustrates these similarities:⁷⁷

– A rigid adherence to the doctrine of press objectivity. News interpretation was not reflected in newspaper coverage of the Little Rascals case by the local *Chowan Herald*. With only two minor exceptions to this rule, noted below, during the critical first year of coverage the newspaper did not attempt to cast expanding developments in the case into broader perspectives. Those broader perspectives involved not only the background element of similar cases already tried in court but also issues arising out of those cases that were subjects of expanding research efforts and publications in academic journals and the popular press at the time, as will be discussed in the following chapter.

⁷⁷ The examination totaled twenty-three stories that mentioned or alluded to the Little Rascals Day Care case in *The Chowan Herald*, Edenton's weekly newspaper, during the 12 months following publication of the paper's first story on April 20, 1989. The dates of the 23 stories are 20 April, 27 April, 1 June, 15 June, 22 June, 3 August, 7 September, 21 September, 28 September (two stories), 5 October, 19 October, 30 November (two stories), 14 December (two stories) 1989; 11 January, 18 January, 25 January (two stories), 22 February, 1 March, 29 March 1990.

– A belated start.⁷⁸ Of press coverage of McCarthy, Bayley wrote that the most important period of the senator’s five-year witch hunt was the first month, during which the audience’s first impressions were formed, however inaccurate, and often endured for decades after. If the press had a window of opportunity to show the senator for the fraud he really was, Bayley wrote, then the first month was its only opportunity. In Bayley’s judgment, the press missed its opportunity by a longshot.⁷⁹

The same could be said of the Little Rascals case. In Edenton, *The Chowan Herald* published its first story about the Little Rascals Day Care case on April 20, 1989, nearly three months after the story first broke in the February 1, 1989, *Elizabeth City Daily Advance*.⁸⁰ And months before that the town was awash in unsubstantiated rumors about the allegations and investigation surrounding the day-care center.⁸¹ The Edenton paper’s then-managing editor, who also served as a reporter on the story, explained that the publisher and he agreed to delay the start of the paper’s coverage so as “to do nothing to impede the investigation or to hurt anybody’s reputation.”⁸²

⁷⁸ Bayley, p. 218.

Of the McCarthy story, Bayley writes: “What is most surprising in the examination of newspaper performance in the McCarthy period is not so much news of McCarthy was published in some newspapers, but how little was published in in many others, especially in the first years.”

⁷⁹ Bayley, p. 16.

⁸⁰ “Investigation results in arrest,” *The Chowan Herald*, 20 April 1989, p. 1.

⁸¹ David Barron, “Day care parents resent implications of hysteria,” *Raleigh News & Observer*, 15 May 1991, p. B4.

See also: Jerry Allegood, “‘Group think’ may affect Rascals parents,” *Raleigh News & Observer*, 25 February 1992, p. B6.

⁸² Jack D. Grove, telephone interview from Hertford, N.C., 15 January 1997.

Grove added: “In a small town like Edenton, reputations are at stake. Reputations are everything In a small town.”

– Reliance on authorities. Critics have charged that the press was too cozy with elected officials and other government authorities in coverage of both the McCarthy and the McMartin stories, especially during their early stages. At the same time, critics charge, the press was unfair and inattentive to the accused. Similar criticisms could be made of local press coverage of the Edenton case.

For example, of the 23 stories on the Little Rascals case that were published by the Edenton newspaper in its first year of coverage, 10 stories – fewer than half – quoted or paraphrased an attorney representing any of the seven defendants.⁸³ Five months passed between the paper’s first quote or paraphrase of a defense attorney and its second.⁸⁴ Legal proceedings and documents were the primary news focus – the news peg – in nine of the 10 stories, and defense attorneys were secondary or minor sources at most in those nine. Only one of the 10 stories led with, emphasized or gave predominant length to the defense attorneys, and prosecutors were given ample space in that story to respond to defense criticisms.⁸⁵ During the yearlong period under study, the paper quoted none of the seven defendants.

Such reliance on authorities reflects a common belief that government officials would not charge people with such horrendous acts if the suspects had not given officials good reason to do so. Rational people often find it hard to believe that a democratic society’s carefully constructed systems of checks and balances could go so wildly out of whack.⁸⁶

⁸³ *The Chowan Herald*, 27 April, 28 September (“Bond increased,” p. 1, sidebar to lead story), 5 October, 30 November (two stories), 14 December (two stories) 1989; 11 January, 22 February, 1 March 1990.

⁸⁴ “Case to go back to grand jury,” *The Chowan Herald*, 27 April 1989, p. 1; “Bond increased,” *The Chowan Herald*, 28 September 1989, p.1.

⁸⁵ “Attorneys fault D.A. in case,” *The Chowan Herald*, 30 November 1989, p. 1.

⁸⁶ Shaw, Jan. 19, 1990, p. A20.

See also: Charlotte Skinner, interview at her Edenton, N.C., home, 1 November 1996.

– Press passivity.⁸⁷ The Edenton paper’s coverage was almost exclusively limited to the legal process, and predominantly from the perspective of authorities.⁸⁸ But despite the narrow focus of *The Chowan Herald*, significant and obvious enterprise- and followup-story ideas arose within its coverage. The paper did not pursue the ideas at any substantive length, however.

For example, a December 1989 story linked the Edenton case to at least five similar cases elsewhere around the nation, including the recently concluded McMartin Pre-School trial in California. The 13-paragraph story summarized the McMartin case in three paragraphs. The other four similar cases were mentioned in a word or phrase. Attorneys for the prosecution and the defense commented in three paragraphs each.⁸⁹ The identical space given each side is an example of the essence of traditional “straight” objective reporting – achieving balance by tape measure.

The unsuccessful McMartin prosecution again appeared the following month in the Edenton newspaper in a story attributed entirely to North Carolina’s lead prosecutor in the Little Rascals case. The story mentioned no source connected with the defense.⁹⁰ The same story also contained, however, a mention of “five or six therapists in different geographic areas” who interviewed the alleged victims in the Little Rascals case.

Mrs. Skinner, a longtime Edenton resident, has been an active supporter of the defendants in the Little Rascals case.

⁸⁷ Bayley, p. 25.

Of press coverage of McCarthy, Bayley writes: “There seems to have been a singular lack of curiosity all through the process.”

⁸⁸ Grove, telephone interview from Hertford, N.C., 15 January 1997.

“The district attorney became our prime source,” said *The Chowan Herald*’s former managing editor. “I operated mostly out of court records and anything the D.A. would tell me.”

Also: Grove, telephone interview from Hertford, N.C., 29 October 1996.

“I was writing almost exclusively from court documents and pretrial hearings.”

⁸⁹ “Abuse cases are reviewed,” *The Chowan Herald*, 14 December 1989, p. 1.

⁹⁰ “Calif. authorities consulted on case,” *The Chowan Herald*, 25 January 1990, p. 1.

The Edenton newspaper did not follow up on the therapists angle, an issue that played a central role in the McMartin case. That issue was the leading questions posed to alleged child victims by interviewers, including therapists. The issue was widely reported at the time.⁹¹ It arose briefly a month later in February 1990 in an Edenton newspaper story that reported a defense attorney's plan to make the interviews by investigators and therapists and the suggestibility of alleged child victims "a central and material issue" in his client's case.⁹² The story was the last mention of the key leading-question and related child-suggestibility issues to appear in the Edenton newspaper during the period under study.⁹³

– Lack of press initiative.⁹⁴ Media critics have cited press failure to show initiative in the McCarthy and the McMartin witch-hunt periods. Edenton's newspaper showed a similar lack of initiative on the Little Rascals case. For example, the paper's then-managing editor said he arranged interviews with defendants in the case. But the arrangements fell through, apparently a result of mutual lack of interest.⁹⁵ Further, the editor declined to question police in Edenton, despite what he

⁹¹ Joe Dew, "Prosecutors won't discuss techniques," *Raleigh News & Observer*, 25 February 1990, pp. 1-2C.

See also: David Shaw, "Times McMartin coverage was biased, critics charge," *Los Angeles Times*, 22 January 1990, p. A18.

See also: Jay Mathews, "McMartin prosecution halted, ending longest criminal case," *The Washington Post*, 28 July 1990, p. A2.

⁹² "Day care case motions heard," *The Chowan Herald*, 22 February 1990, p. 1.

⁹³ Grove, telephone interview from Hertford, N.C., 15 January 1997.

The editor said the issue concerns him now: "The big question mark to me is how the interviews were handled."

⁹⁴ Bayley, p. 44.

Of press initiative during the McCarthy period, Bayley wrote: "News staffs in Washington seemed to show a singular lack of initiative, even those on papers which had already had taken a position of vigorous editorial criticism of McCarthy's doings."

See also: Shaw, "Media skepticism grew on McMartin case," *Los Angeles Times*, 21 January 1990, p. A34.

"McMartin dragged on for six years, often with little new happening for weeks at a time, and still the media seldom stepped back to take a comprehensive view or to write in broad terms about some of the major issues and individuals in the case."

⁹⁵ Grove, telephone interview from Hertford, N.C., 15 January 1997.

asserted were good and improving relations between the paper and its police sources.⁹⁶ One Edenton police officer in particular would have been an important source for the paper's early coverage of the case. Officer Brenda Toppin was the first investigator to question alleged child victims and the first official to conclude that the eventual defendants were suspects.⁹⁷ The officer also played a prominent, if brief, part in the trial of the case's first defendant when she admitted destroying audio tapes of child interviews and keeping only sketchy summaries of notes she took during the interviews.⁹⁸

– Lack of perspective: Sociologist James Coleman has noted that outside, often national news media typically apply a different perspective – a different frame

“I couldn't speak to (the defendants) without an attorney present in the attorney's office in Tarboro or in Greenville. I didn't have the budget or the time to do that. And why should they go out of their way for the press? Why mess with Jack Grove of *The Chowan Herald*?”

It should be noted that tight budgets and disproportionate pressures that advertisers can apply have been cited as mitigating circumstances in shortcomings of press performance among small, local newspapers. Grove, while mentioning those considerations, suggested that they were not overwhelming impediments in the Edenton paper's coverage of the Little Rascals case.

On tight budgets: “I could only make long-distance calls when the boss would let me. He never refused. But he had to approve.”

On advertiser pressure, the reverse was the case, in Grove, telephone interview from Hertford, N.C., 29 October 1996. The advertisers sought more prominent coverage of the story: “I was approached by several influential businessmen who clouded up and rained all over me for putting a [Little Rascals] story on the back page. I said, ‘Go tell Pete Manning [the publisher], don't tell me.’ These three or four influential businessmen, almost all parents of Little Rascals children, went into a closed-door meeting with Pete. We never again had a story anywhere but on the front page after that.”

⁹⁶ Ibid.

“I developed a rapport with the police. I wouldn't print anything until the police were ready to go with charges. before that, when I came aboard in 1985, the cops wouldn't trust us.”

Concerning the Edenton case: “I didn't ask questions of the Police Department at all, because I knew what the answers were going to be.”

⁹⁷ Ibid.

“I did ask (questions of) Brenda Toppin, who I did not know was lead investigator, but I got an uncharacteristic cold shoulder. She said, ‘I can't comment on an ongoing investigation.’ That was interesting.”

⁹⁸ Associated Press, “Officer destroyed Rascals tapes of children because of contents,” *Raleigh News & Observer*, 27 November 1991, p. B6.

of reference – when covering local community conflicts.⁹⁹ In the Edenton community conflict, that different national-news-media frame appeared to be applied first by the May 1991 Public Broadcasting System telecast of “Frontline,” a documentary news program on the Little Rascals case.¹⁰⁰ The show produced a tremendous response among viewers, who directed telephone calls and letters to local agencies and to institutions in Edenton and elsewhere in North Carolina, including news media.¹⁰¹

But a more skeptical frame of reference was not welcome at the Edenton newspaper. The then-editor said his paper’s policy was to avoid talking to outside reporters about the Little Rascals case.¹⁰² Not surprisingly, the frames of reference evident in early coverage of the Little Rascals case by the Edenton newspaper and in, for example, the “outside” reporting of the “Frontline” program were substantially different. The “Frontline” program, using sources from both the pro-prosecution and pro-defense sides of the case, produced the responses that Coleman wrote about decades earlier – that the local conflict appeared irrational and even ridiculous to viewers.¹⁰³ The Edenton paper’s early coverage, on the other hand, which typically

⁹⁹ Coleman, p. 24.

“It appears that these responsible and respectable media have modified the intensity of disputes by viewing them in a new context, dispassionately, making them appear irrational and sometimes even ridiculous.”

¹⁰⁰ Associated Press, “Letters, calls, inundate Edenton after documentary,” *Raleigh News & Observer*, 17 May 1991.

¹⁰¹ *Ibid.*

¹⁰² Grove, telephone interview from Hertford, N.C., 15 January 1997.

“Outside media” did not include North Carolina reporters from other papers and from the Raleigh, N.C.-based Associated Press, with whom Mr. Grove occasionally dined and discussed the case. An example Mr. Grove gave of a representative of outside media was a reporter from the Philadelphia *Inquirer*, to whom he would offer no discussion about or help with the story.

¹⁰³ David O. Loomis, collection of letters the the editor on the Little Rascals case, received while employed as North Carolina editor of *The Norfolk Virginian-Pilot & Ledger -Star*. In recipient’s possession. A random sample:

Rael Jean Isaac, to The Editor, 9 August 1993, David O. Loomis letters collection, Chapel Hill, N.C.

The lead paragraph of the letter reads: “As *Frontline* has made millions of Americans aware, a gross miscarriage of justice has taken place in Edenton with innocent people railroaded by mass hysteria into life sentences.”

relied on authorities associated with the case but did not cite defendants or their attorneys, produced a relatively meager response among its readers during the period under study.

The Edenton newspaper's rigid adherence to the tenets of news objectivity and lack of interest in news interpretation of events surrounding the Little Rascals case repeated the failures of the press during the McCarthy witch hunt period. By emphasizing authorities – certifying almost every fact with attributions to prosecutors, for example – and de-emphasizing the accused in its early coverage of the case, the Edenton newspaper abrogated the press' watchdog responsibilities and often even its responsibilities to provide basic fairness and balance.¹⁰⁴ Further, the Edenton newspaper's evident lack of initiative in its early coverage allowed the paper to abet – wittingly or not – prosecutors' efforts to pursue what many observers have characterized as a witch hunt and the state Court of Appeals criticized as “flagrant violations” of courtroom rules.¹⁰⁵

This review of similarities between witch hunts four decades apart should also note their dissimilarities. For example, the competitive atmosphere among news media has changed. During the McCarthy period, three wire services competed vigorously for a two-minute “beat” on developments in the story. Broadcast media were in their infancy, although one network assumed a leading role near the end of the period. In the Edenton case, only one wire service – the Associated Press – covered the story, and its coverage occasionally was supplied by member newspapers, not its own reporters.

¹⁰⁴ In the analysis of first-year coverage described above, the standard boilerplate sentence “The source was unavailable for comment” or its variations did not appear in any of the one-sided stories attributed to authorities, usually prosecutors in the Little Rascals case.

¹⁰⁵ Richissin and Wilson (3 May 1995), p. 1A.

Further, the national-capital press contingent covering McCarthy was on the whole well educated and experienced, and its members contributed to professional journals in which they described the institutional restrictions that hobbled full coverage and reader understanding of McCarthy and his witch hunt. Reporters who covered McCarthy regularly often voiced skepticism about the senator in private, although such skepticism was rarely evident in their coverage. Edenton's early newspaper coverage of the Little Rascals case, on the other hand, was provided by a *Chowan Herald* staff whose experience and formal education were comparatively scant.¹⁰⁶ Coverage may have been further constrained by limited newspaper resources, including time and money.¹⁰⁷

But a lack of skepticism about the Little Rascals prosecution is evident both in the Edenton paper's coverage and among its then-editor and reporter today.¹⁰⁸ The paper not only exhibited no skepticism about an alleged conspiracy involving seven adults serially raping, torturing and photographing scores of three- to five-year-old children during broad daylight at a centrally located day-care in a small town for several years without a single witness or a shred of evidence. That lack of skepticism also was evident in the Edenton paper's failure to detect and report broader societal currents that feed and foster witch hunts.

¹⁰⁶ Grove, telephone interview from Hertford, N.C., 15 January 1997.
"I was never a professional reporter."

¹⁰⁷ Ibid.

¹⁰⁸ Grove, telephone interview from Hertford, N.C., 29 October 1996.

CHAPTER 3

THE SOCIOLOGY AND PSYCHOLOGY OF WITCH HUNTS

To most residents of late 17th century Salem, Massachusetts, witches were real and powerful. The young girls who accused their relatives and neighbors of witchcraft in Salem, for example, claimed to have witnessed celestial apparitions in the form of animals that spoke. They claimed to have seen defendants dispatch insects into the mouths of the girls to deposit bent nails and pins in their stomachs, which were then regurgitated during testimony.¹⁰⁹ Such claims were called spectral evidence – testimony about supernatural appearances of demonic creatures, even the devil himself, who appeared in the specter, in the form, of the accused witch.¹¹⁰ On such courtroom testimony, 20 Salem residents were convicted and put to death during the summer of 1692. A dozen others were spared after they confessed to the court and asked for mercy.¹¹¹

The Puritan colonists of Salem village were not unusual for their belief in witches. Contemporary European societies still clung to the notion that witches and demons could and often did fly on broomsticks and exhibit other demonic behavior. As late as 1765, jurist William Blackstone in his *Commentaries on the Laws of England* asserted: “To deny the possibility, nay, actual existence of witchcraft and sorcery is at once flatly to contradict the revealed word of God in various passages of both the Old and New Testament.”¹¹²

¹⁰⁹ Ceci and Bruck (1995), p. 8.

¹¹⁰ Paul Boyer and Stephen Nissenbaum (1974). “Salem Possessed: The Social Origins of Witchcraft.” Cambridge, Mass.: Harvard University Press, p. 16.

¹¹¹ Ceci and Bruck, p. 8.

The authors put the number executed at 19; most other accounts use the higher figure.

¹¹² Carl Sagan (1995). *The Demon-Haunted World: Science as a Candle in the Dark*. New York: Random House, p. 119.

As Blackstone's religious and legal commentary suggests, such beliefs were based on the authority of church doctrine which for centuries asserted that the devil was a real presence in the world. These Christian beliefs had supernatural roots in pagan societies, including ancient Greece. But belief in witches reached an historic milestone in 1484 A.D. when Pope Innocent VIII issued a papal Bull that ignited the persecutions of suspected witches throughout Europe for centuries, extending into the 18th century in Britain. The number executed during the period is unknown, but estimates range from thousands into the millions.¹¹³

Religious faith was not the only force motivating the witch hunts. Greed was a factor, too. One writer called the "vast bureaucracy" created to handle the processes of witch-hunting and -executing "an expense-account scam." All costs of investigating witches were billed to the accused witch or her family. Court members received bonuses for each execution. What remained of the convicted witch's property was split between the church and the state. To keep the machinery grinding, hunters elevated their sights up the social scale from old hags to the middle-class and the wealthy in search of fresh witches.¹¹⁴

Sex, too, played a role in the witch hunts. Inquisitors frequently focused on eroticism – the alleged copulations between the accused witches and demons, for example – and misogyny, which some researchers say was not surprising among nominally celibate priests who for the most part were the inquisitors of the alleged witches, who were mainly women.¹¹⁵

¹¹³ Ibid, p. 122.

See also: Oberschall, pp. 187-211.

¹¹⁴ Ibid., p. 120.

¹¹⁵ Ibid, p. 121.

Salem, then, followed a rich, if lethal, tradition of religiously motivated witch-hunting. But temporal elements also played important parts in the Salem story. One historian, for example, has written that the seeds of Salem's hysteria are found in socioeconomic status. Salem villagers were predominantly farmers, while residents of adjacent Salem Town, from which villagers were seeking independence and autonomy, were more inclined toward the rise of commerce and the coming of capitalism. These differences in outlook threatened the Puritan creed of communitarianism – all for the common good – with a rising sense of individualism and self-interest. The differences between and within the two communities were exploited by the villagers' Puritan preacher, Samuel Parris, around whom the dispute swirled. Parris railed against his opponents, deepening community divisions with attacks on the moral failings of those who opposed him.¹¹⁶

Samuel Parris was not the only Puritan elder to preach against the social mobility that was violating the Puritan tenet of acceptance of social status. Cotton Mather, a leader in the church and in the witch trials, had preached a sermon in 1689, in response to a case of witchcraft in Boston, in which he declared, "Rebellion is as the sin of witchcraft." Mather did not mean political rebellion but rather social rebellion, in which people pushed up the economic ladder, forcing those at the top to make way. The secular forces at work in Salem, then, were emerging mercantile capitalism and attendant secularism, which Mather and other preachers called witchcraft.¹¹⁷

Children were not immune to these forces. Some scholars have suggested that social rebellion against Puritanism's repression may have motivated the accusing

¹¹⁶ Boyer and Nissenbaum, pp. 80-109.

¹¹⁷ Ibid, p. 209.

See also, p. 214: A popular book of the period was John Bunyan's *The Pilgrim's Progress From This World to That Which Is to Come*, published in London in 1684, eight years before the witchcraft trials of Salem. The novel contains a character called Madame Bubble, who embodies the seductive and urbane materialism and manners and dress of newly acquired material wealth. "This woman is a witch," Bunyan has another character say of Madame Bubble.

girls in Salem. Their parents believed that breaking the will or spirit of the child was an important means of discipline. Puritans also accepted as literally true the Biblical aphorism that “out of the mouths of babes cometh forth truth.” Thus, the stage was set – by repression of children’s spirit and by belief in their innocence – for children to accuse their elders, including their own parents, of witchcraft.¹¹⁸

Children also played an important and historic role in the prosecutions of the accused witches. The Salem witch trials marked the first time in American jurisprudence that children testified in criminal cases.¹¹⁹ The precedent of child witnesses broke a rule observed throughout the Middle Ages in Europe that children younger than age 14 were not permitted to give testimony. The rule was suspended for the children who testified in the Salem witch trial, but the precedent was not followed for nearly 300 years. During the 18th, 19th and 20th centuries, U.S. courts repeatedly cited Salem’s excesses as grounds for not allowing uncorroborated testimony from children.¹²⁰

The excesses of Salem were recognized officially within five years of the executions. In 1697, Salem declared a day of public contrition, and in 1709 the families of the executed received reparations.¹²¹ The witchcraft hysteria was spent,

¹¹⁸ Stephen J. Ceci, Michael P. Toglia and David F. Ross (1990). The Suggestibility of Preschoolers’ Recollections: Historical Perspectives on Current Problems. In R. Fivush and J. Hudson (Eds.), *Knowing and Remembering in Young Children*. (pp. 285-300). New York: Cambridge University Press.

See also: Gail S. Goodman (1984). Children’s testimony in Historical Perspective. *Journal of Social Issues* 40:2, p. 11. Two researchers cited by Goodman have another theory. They described the Salem children’s behavior as symptomatic of ergotism, a food poison caused by ergot, a fungus that grows on rye. The grain was harvested in Salem in weather conditions that favored the growth of the fungus. The researchers theorized that the children, who are more vulnerable to the poisoning than adults, may have been exhibiting ergotism’s hallucinatory symptoms.

¹¹⁹ S.J. Ceci, M.P. Toglia and D.F. Ross (1987). *Children’s Eyewitness Memory*. New York: Springer-Verlag, p. 79.

¹²⁰ Ceci, Toglia and Ross (1990), pp. 285-300.

¹²¹ Nathan & Snedeker, p. 253.

although one historian, writing two centuries after Salem, cited several minor revivals in the colonies and in the British Isles during the early decades of the 18th century.¹²² The historian concluded: “The elements of the witchcraft delusion of 1692 are slumbering still in the bosom of society.”¹²³

Within a few decades of that observation, a post-World War I fear of foreigners in general and Bolsheviks in particular fostered the Palmer raids, a witch hunt conducted by a politically ambitious U.S. attorney general.¹²⁴ Similarly, political ambitions and a widespread fear of Communism helped sustain the witch hunts of the McCarthy era. Coleman and others suggest that a common element in American witch hunts over the centuries has been an overriding climate of fear that is fed and exploited by authority figures in both church and state.¹²⁵ Other common elements include:

- Children’s fantastic claims are believed uncritically, as noted above in Salem and as reflected in the latter-day rallying creed “believe the children.”¹²⁶
- Those who confess or choose not to contest the charges are spared the harshest punishment.¹²⁷

¹²² Charles W. Upham (1891). *Salem Witchcraft: With an Account of Salem Village and a History of Opinions on Witchcraft and Kindred Subjects*. New York: Frederick Ungar Publishing Co., Vol. 2, pp. 516-517.

Upham wrote that a woman and her nine-year-old daughter were hanged in Huntington, England, in 1716; residents of Littleton, Mass., attempted “to renew the Salem Excitement” in 1722, but it fizzled; and an execution for witchcraft was conducted in Scotland in 1722.

¹²³ *Ibid*, p. 521.

¹²⁴ Bagdikian. p. xiv.

¹²⁵ Coleman, p. 7.

¹²⁶ Allegood, 5 January 1992, p. 1A.

¹²⁷ Ceci and Bruck, p. 8.

The authors note that all accused witches in Salem who confessed were spared.

See also: Jerry Allegood (22 January 1994), “No contest plea in Little Rascals child-sex case,” *Raleigh News & Observer*, p. 1A; Martha Quillen (17 June 1995), “Little Rascals defendant pleads no contest, will go free,” *Raleigh News & Observer*, p. 1A.

- Alternative hypotheses to explain the allegations are not considered by investigating authorities.¹²⁸
- Contradictory findings are ignored or suppressed.¹²⁹
- The persecuted are the least powerful, often women.¹³⁰
- Eroticism and repressive sexual mores are evident in the work of investigators.¹³¹
- Witch hunts tend to become systematized, bureaucratic and businesslike, often self-sustaining.¹³²
- No uncontroverted physical evidence is produced to bolster allegations.¹³³
- Political aspirations among leading authorities are evident.¹³⁴

¹²⁸ Ceci and Bruck, p. 2.

¹²⁹ Sagan (1995), p. 122-123.

In the Little Rascals case, five of the seven defendants were women, contrary to the fact that women rarely commit such crimes.

¹³⁰ Sagan (1995), p. 119, 121.

Of the seven defendants in the Little Rascals case, five were women.

See also: Lanning, Kenneth V. (1992, January). "Investigator's Guide to Allegations of 'Ritual' Child Abuse," Federal Bureau of Investigation, p. 16. The author notes that as many as 50 percent of offenders in what he describes as multidimensional child sex rings are women, "in marked contrast to historical child sex rings, in which almost all offenders are men."

¹³¹ Boyer and Nissenbaum, p. 13;

See also: Sagan, p. 161.

See also: Nathan and Snedeker, pp. 180-190. The authors discuss child-sex-abuse investigators' exhaustive analysis of the hymens and virginity of young girls.

¹³² Sagan, p. 120.

See also: Nathan and Snedeker, pp. 126-136.

¹³³ Sagan, p. 161.

The author writes that an analysis of more than 12,000 claims of sexual abuse involving ritual cults, performed for the National Center on Child Abuse and Neglect, produced not one case and no physical evidence that held up to scrutiny.

¹³⁴ Upham, p. 503.

The author writes that Cotton Mather, a leading cleric in the Salem witch hunt, sought the presidency of Harvard College. He was unsuccessful.

The original prosecutors in the Little Rascals and McMartin preschool cases also were facing re-election. Both lost. Similarly, Sen. Joseph McCarthy's campaign against Communists in government employment was prompted by his search for a popular issue to bolster his prospects for re-election in 1952, as noted earlier.

– Media are eager to feed a ravenous popular appetite for news but slow to assume their watchdog role in witch hunts.¹³⁵

Issues common to ritual-abuse cases

The foregoing history is intended to help illustrate parallels to contemporary witch hunts. To many elements of the late 20th century mainstream press, however, this history may be interesting but not particularly newsworthy, even to organizations that practice a more pattern-oriented and less event-oriented approach to news.¹³⁶

Editors and reporters who might be inclined to thoroughly research background and history to help illuminate contemporary news developments often are unable to find time to read history while reporting its first draft on the run. Further, newspapers that covered allegations and prosecutions of ritual sex abuse in day-care settings rarely published characterizations of the events as witch hunts. As Bayley, Shaw and others have noted, to have done so would have risked being seen as a violation of the journalistic doctrine of objectivity. And that would have required reporters and editors to alter their framing of the allegations from a police-beat crime story driven by leaks and pronouncements from authorities to an investigative story

¹³⁵ Shaw, D. (1990, January 19). Where was skepticism in media? *Los Angeles Times*, p. A1.

See also: Bayley, p. 218. The author writes: "What is most surprising in the examination of newspaper performance in the McCarthy period is not that so much news of McCarthy was published in some papers, but how little was published in many others, especially in the first years. The timidity of the wire services, the fear of controversy on the part of publishers, and an apparent lack of understanding of the importance of the issue by many editors worked to deprive many readers of the full information."

¹³⁶ Donald L. Shaw, Maxwell McCombs and Gerry Keir (1996). *Advanced Reporting: Finding Patterns Beyond News Events*. (In press), p. 12.

The authors note that educating the audience is part of a new, more rigorous and more authoritative reporting style.

See also: Barnhurst, Kevin G. and Mutz, Diana (1996). *The New Long Journalism: The Decline of Event-Centered Reporting in American Newspapers*. Presented at the American Association for Public Opinion Research, Salt Lake City, Utah, May 17, 1996.

The authors describe the "new" journalism as a move toward thematic coverage and away from episodic coverage.

independently examining patterns among many more events and by contacting many more sources in many other places. In short, this pattern-oriented alternative to the traditional event-oriented approach to news coverage of child-sex-abuse stories would have been more complex, difficult, time-consuming and costly.¹³⁷

However, more timely and newsworthy information on issues related to ritual-child-sex-abuse cases was available to the press, and such traditional sources as defense attorneys, academics, even public libraries – all a phone call away – could have provided it throughout the 1980s, as the day-care and related child-sex-abuse cases swept the country.¹³⁸ The remainder of this chapter, then, aims to illuminate what was known and when it was known about these key relevant issues during the period under study and how that information intersects with recurring patterns of witch hunts and of press performance during these periods.

The legislative and executive branches

The legislative and administrative branches of government played important parts in ritual child-sex-abuse cases during the 1980s and earlier, before the judicial

¹³⁷ Bayley, p. 68.

The author quotes reporters who covered McCarthy saying that the story was the most difficult of their careers.

See also: Shaw (21 January 1990), p. A34. The author quotes one reporter as saying the McMartin story was “a bigger quagmire than anything any reporter I know has ever gotten into.” Shaw also reports that local media failed to produce traditional perspective pieces on what media were treating as event-oriented, breaking spot news stories.

¹³⁸ Hopkins (22 September 1995). Letter to U.S. House Judiciary Committee. Copy in possession of author, “Congress” file, Witchhunt1 disk.

As noted earlier, the letter writer, a member of a San Diego grand jury that considered and rejected indictments against suspects in a ritual child-sex abuse case in the 1980s, now a leader of an organization called the Justice Committee, wrote that the McMartin case “is only one of well over a hundred and fifty (150) such cases. Most states have seen at least one of the cases, defined by allegations of multi-perpetrators-multi-victims, initial denial of abuse by the children, and invasive questioning resulting in increasingly bizarre allegations of molest, and alleged perpetrators (men and women) with no previous criminal history or record of sexual deviancy. Most of the child victims have been preschoolers, many of the events supposedly happened in preschools and day cares, and teachers with no criminal records suddenly found themselves charged with the most heinous crimes in history.”

branch began hearing the cases in its courtrooms. One unintended consequence of the legislation and resulting administrative process is what some critics say is the creation of a child-abuse industry whose existence helped to overstate the incidence of child sex abuse and to perpetuate the publicly funded bureaucracy created in the process.¹³⁹ The historical parallel to the 20th century “child-abuse industry” would be the “expense account scam” described by Sagan and other commentators, in which inquisitors thrived financially on the fear and hysteria they fed.¹⁴⁰

The bureaucracy that oversees investigation of reported child abuse was created and funded by Congress in 1974 when it passed the Child Abuse Prevention and Treatment Act (CAPTA), or the Mondale Act, after its primary sponsor, U.S. Sen. Walter Mondale. The law’s powers were expanded in 1985 with passage of the Children’s Justice Act, but the original law contained ample authority. It mandated reporting by health-care professionals, as well as teachers, therapists, school administrators and others, of any suspected instance of child battering, neglect, emotional maltreatment and sexual abuse. State authorities were mandated to intervene in case of violations.¹⁴¹

The result was an overdue effort to address a fearful social problem hidden throughout the nation’s history – and an explosion of reports about child abuse. One source has reported that from 1976 to 1993 the total yearly number of child abuse reports grew to more than 2.9 million from 669,000. During the same period, the annual number of reports of sexual abuse grew from 21,000 to more than 319,000.¹⁴²

¹³⁹ Paul Craig Roberts (1996, May 6). Wounded in the War on Parents. *The Washington Times*. (from online witchhnt listserv)

See also: Armin A. Brott (1995, August 27). The Abused System. *The Orange County Register*. (from online witchhnt listserv)

¹⁴⁰ Nathan and Snedeker (1995), pp. 107-200.

¹⁴¹ Nathan and Snedeker (1995), pp. 14-15.

¹⁴² Brott (from online witchhnt listserv)

Another source, the American Humane Association, said child-sex-abuse reports rose an estimated 2,000 percent during the decade between 1976 and 1986, roughly paralleling increases in all types of reported child abuse and maltreatment.¹⁴³

By any measure reporting of child abuse skyrocketed, but substantiation of the reports did not. Some researchers have concluded that the number of abuse cases classified as substantiated has stayed constant or declined slightly during the post-CAPTA period.¹⁴⁴ Further, distinctions between such abuse as neglect and sexual molestation are not often made, contributing to confusion and exaggeration about the issue. About 6 percent of all reported cases of child abuse involve sex abuse. The largest proportion of child abuse reports – 21 percent – involves neglect.¹⁴⁵

As a result of CAPTA and increasing reports of child abuse of all kinds, state and federal agencies have grown to handle the growing volume.¹⁴⁶ A small but vocal number of skeptics, however, began writing and testifying as early as the early 1980s against the resulting government action as an overzealous exercise of police power and unwarranted government intrusion into private lives.¹⁴⁷

¹⁴³ Ceci and Bruck (1995), pp. 24-25.

¹⁴⁴ Ibid., p. 25.

See also: Brott (from online witchhnt listserv). By 1993, 66 percent of reports were unsubstantiated, Brott writes, and in divorce cases, that figure may be as high as 80 percent.

¹⁴⁵ Richard Wexler (1990). *Wounded Innocents: The Real Victims in the War Against Child Abuse*. Buffalo: Prometheus Books, p. 87.

¹⁴⁶ Precise numbers of government workers employed to handle reports of suspected child abuse are difficult to establish, but combined with social workers, teachers, police and health-industry workers, the numbers of potential participants in the process may number in the hundreds of thousands.

¹⁴⁷ Nathan and Snedeker, pp. 231-234.

See also Brott, who quotes one of the veteran critics, Dr. Richard A. Gardner, a clinical professor of child psychiatry at Columbia University: "There's a complex network of social workers, mental health professionals, and law enforcement officials that actually encourages charges of child abuse - - whether they're reasonable or not."

The judiciary

The judicial branch of government also responded to growing awareness of child abuse, particularly sexual abuse, which most often involves only two witnesses – an adult perpetrator and a child victim. The judiciary's response marked a dramatic shift for American jurisprudence. Until the late 20th century, U.S. courts for nearly 300 years had regarded the testimony of child witnesses with skepticism at best, a result of the false testimony presented by the children in the Salem witch trials of 1692.¹⁴⁸

But the growing awareness of child abuse and increased recognition of its pervasiveness drew the legal system into the expanding social and legislative efforts to address the problem. Traditional legal approaches had addressed child sexual abuse in domestic or juvenile courts, where the focus is on protection of the child, not punishment of the perpetrator. Further, the U.S. legal system had erected barriers to the admissibility of child eyewitness testimony, based on such historical precedents as Salem. Thus, corroboration of child testimony and avoidance of trauma to child witnesses testifying in court presented huge obstacles to gaining convictions in child sex-abuse cases.¹⁴⁹

The hurdles fell by the mid-1980s as reformers successfully lobbied state legislatures nationwide to change court rules in cases involving child witnesses. The corroboration hurdles fell as new exceptions to the hearsay rule were created and old ones expanded to allow uncorroborated child eyewitness testimony. And the 6th Amendment right of the accused to confront their accusers in court collapsed in child

¹⁴⁸ Stephen J. Ceci and Maggie Bruck (1993). Suggestibility of the Child Witness: A Historical Review and Synthesis. *Psychological Bulletin*, 113:3, p. 405.

See also: Ceci, Toglia and Ross (1987), p. 79.

The authors write that the Salem witch trials represented the first time in America that children were called upon to testify in criminal cases.

See also: Ceci and Bruck (1995), pp. 48-49. The authors cite legal writers who in recent years have placed child witnesses in the same category as mental defectives and drug addicts.

¹⁴⁹ Ceci and Bruck (1995), p. 36.

sex-abuse cases as most states permitted videotaped testimony from children, half the states allowed one-way closed-circuit television testimony, and other non-confrontational procedures were adopted.¹⁵⁰

The changes in court rules had a profound impact on the number of children participating in abuse cases. Researchers report that no reliable national data exist, but they theorize that the number of children testifying in criminal sex-abuse cases nationwide may have reached 13,000 in 1991. A decade earlier, due to restrictive court rules and traditional approaches to the problem, the number was virtually zero. Researchers also estimate that the number of children now involved in the wider legal process – including interviews by police and prosecutors in sex-abuse cases that conclude with plea bargains and in cases involving related charges, such as custody disputes, domestic violence and so on – is much larger than the number in sex-abuse cases alone. An educated guess is that 200,000 children may be involved in the U.S. legal system each year.¹⁵¹

Only a minority of the swelling number of cases involving child witnesses concerns charges of sexual abuse. An even smaller proportion involves sex-abuse of children in day-care settings. But day-care cases, more than other child-abuse cases, involve very large numbers of children interacting with the wider legal system, including prosecutors, police officers, therapists and others. The McMartin Pre-School case in California, for example, involved 369 children who alleged sexual abuse.¹⁵² In the Little Rascals case, 90 children made sex-abuse disclosures.¹⁵³ Further, the extensive media attention paid to the day-care cases has made them

¹⁵⁰ Ibid., p. 36, 65.

See also: Nathan and Snedeker, p. 207; Goodman, p. 17.

¹⁵¹ Ibid., p. 37.

¹⁵² Ibid., p. xi.

¹⁵³ Ibid., p. 10.

the most sensational and the best documented of all child-abuse cases. U.S. Attorney General Janet Reno, for example, prosecuted two widely reported child-sex-abuse cases in the 1980s while serving as a district attorney in Florida.¹⁵⁴

These cases were not conducted in vacuums. A network grew out of the early prosecutions that may have abetted later cases, such as the Little Rascals case. The seeds for the Edenton case, for example, may have been sown in the spring of 1988, months before the first allegations of child abuse were made, when police and social service workers convened a three-day seminar in Kill Devil Hills, N.C., to learn about child molesters operating day-care centers. Among those attending the seminar were District Attorney H.P. Williams, who would prosecute the Little Rascals case, and Edenton police Officer Brenda Toppin, who would be the first to interview most of the children involved in the Little Rascals case and who would tell parents that their children were abused.¹⁵⁵

As more children testified in abuse cases, they were accompanied to court by expert witnesses whose role often was to tell juries why they thought the children were telling the truth about alleged sexual abuse. The use of expert witnesses is a controversial area of law. A key precedent, *Frye v. United States*, in 1923 allowed expert testimony only when other experts agreed – the consensus standard. But increasing criticism of *Frye* for its easy manipulability led the U.S. Supreme Court in

¹⁵⁴ Nathan and Snedeker, pp. 169-177.

See also: Ceci, S.J., Toglia, M.P. and Ross, D.F. (1987). *Children's Eyewitness Memory*. New York: Springer-Verlag, p. 2.

The authors write that children are more likely to testify as witnesses at trials involving child abuse, including sexual abuse. "Their greater likelihood of testifying derives from the fact that such cases involve children as the only victim and only eyewitnesses.... Corroborating evidence often is not available."

¹⁵⁵ Ceci and Bruck (1995), p. 94.

Featured speaker at the Kill Devil Hills seminar was Ann Burgess, editor of the book *Child Pornography and Sex Rings* (1984). Also attending was Judy Abbott, a therapist who would become one of the most active in treating the children involved in the Little Rascals case.

1993 to abandon the *Frye* test in federal courts. State courts, however, still use the *Frye* test to admit expert testimony.¹⁵⁶

The controversy among experts over the science supporting their testimony coupled with the increasing numbers of preschool children testifying to often bizarre incidents of alleged sexual abuse led to a surge in research on children's memory. The research was not conclusive, but it has raised doubts about the testimony of young children in child-sex-abuse cases.

Psychological research

Research on child suggestibility – how their memories of events can be affected by internal and external influences – began a century ago. The earliest work found evidence that has been bolstered by modern research – that repeated questioning is detrimental, that adults' questions often are interpreted by young children as orders to respond whether answers are available or not, that a child witness' confidence is not related to the accuracy of the testimony presented, that fantasy and reality often are difficult for children to distinguish, that free recall (answers to such questions as "What happened?") are superior to responses to yes/no queries (such as "Did he touch you there?"), and that adults are suggestible, too.¹⁵⁷

Until the 1980s, all studies of child suggestibility involved early school-age and adolescent children. Not one study had included preschoolers.¹⁵⁸ By the 1980s, the

¹⁵⁶ *Ibid.*, pp. 210-212.

¹⁵⁷ Ceci and Bruck (1995), pp. 52-58.

See also: S.J. Ceci, M.P. Toglia, and D.F. Ross (1987). *Children's Eyewitness Memory*. New York: Springer-Verlag, p. 2.

The authors write that there has been a lengthy history in the field of psychology of not believing children. Researchers, including Piaget, Binet and Freud, have viewed children as highly suggestible, unable to differentiate fantasy from reality and prone to fantasize sexual events.

See also: Associated Press (17 February 1997), "False memories take root in experiment," *Raleigh News & Observer*, p. 8A. The story reports research by Dr. Elizabeth Loftus of the University of Washington that concludes 25 percent of adults can be convinced they remembers childhood events that never happened.

¹⁵⁸ *Ibid.*, p. 66.

modern resurgence in child-suggestibility research had begun to focus on this group, spurred in part by the dramatic increases in reported child abuse and by the appearance in American courtrooms of preschool-age children.

Research conducted during the late 1980s and early 1990s focused on this youngest group of child witnesses. Some of the most noted research, conducted in neutral laboratory settings, found that the younger the child the poorer the recall of events, that this poor recall worsened over time, and that the youngest children's responses to open-ended questions provided the least information of all age groups, thereby prompting more yes/no questions and greater risk of suggestibility.¹⁵⁹ While these findings were not universally accepted among child-suggestibility researchers, they did tend to direct attention to interviews of actual preschool-age children conducted in real settings, such as in the offices of police and therapists and in homes by parents.¹⁶⁰

It was in those settings that many of the disclosures about alleged sex abuse in day cares were drawn. As the earliest research on child suggestibility indicated, repeated questioning may be detrimental by encouraging children to make disclosures in an effort to please adult questioners. Some authorities have estimated that the average child witness may be questioned a dozen times during an investigation.¹⁶¹ In the Little Rascals case, many children were interviewed by therapists three dozen times and more.¹⁶²

¹⁵⁹ Dr. Peter A. Ornstein, professor of psychology, University of North Carolina at Chapel Hill, series of interviews, fall 1996. Notes in possession of author.

See also: Ceci and Bruck (1995), pp. 71-74.

¹⁶⁰ Ceci and Bruck (1995), p. 74.

¹⁶¹ Ceci and Bruck (1995), p. 107.

¹⁶² Child assessment forms prepared by therapists, copies in possession of the author.

But what about adults? Why would so many professional and lay people believe and act on fantastic and bizarre claims made by child witnesses in sex-abuse cases?¹⁶³ In the Little Rascals case, for example, how could lay and professional people not be skeptical about allegations that scores of preschool children were repeatedly raped by seven conspirators over a period of three years in public places in and around a small town without a single piece of uncontested evidence or corroborating eyewitness testimony to substantiate the allegations? As FBI child-sexual-victimization expert Kenneth Lanning has written, such a conspiracy, if true, would constitute one of the greatest criminal cabals in history.¹⁶⁴ Yet before the McMartin Pre-School trial, the nation's longest and costliest criminal case of any kind, which included bizarre allegations equal to those in the Little Rascals case and others, 96 percent of survey respondents believed the defendants in the case were guilty.¹⁶⁵

Some authors have theorized that urban legends – persistent and widely circulated stories that ring true but have no basis in fact – have contributed to such unskeptical beliefs pervading society. These authors have written that the first widespread panic of the post-modern age concerned large numbers of missing children, putatively kidnapped and killed by pedophiles and satanists. In the late 1970s and early 1980s, several factual and sensational stories involving murdered

¹⁶³ Allegood, *Raleigh News & Observer*, 5 January 1992, p. 1A.

In the trial of defendant Robert F. Kelly Jr., for example, children testified that they flew in space ships and that Kelly commanded sharks on secret boat rides.

See also: Kenneth V. Lanning (1992, January). "Investigator's Guide to Allegations of 'Ritual' Child Abuse," Federal Bureau of Investigation, p. 16.

See also: Ceci and Bruck (1995), p. 27. The authors recite testimony of a social worker involved in the McMartin Pre-School case who told Congress in the early 1980s: "We're dealing with an organized operation of child predators.... The preschool in such cases serves as a ruse for a larger, unthinkable network of crimes against our children."

¹⁶⁴ Lanning (1992), p. 20.

¹⁶⁵ Debby Nathan, correspondence with author, September 13, 1996, in author's possession.

children received widespread news media coverage. They included the murders of 23 black children in Atlanta between 1979 and 1981 and the abduction and murder in Florida of six-year-old Adam Walsh in 1981. Partly as a result of these stories, news media began reporting that thousands of American children were being kidnapped at random by strangers each year. The number of disappearing children ranged from 20,000 to 100,000 a year in various news media accounts. Officials began repeating the figures. The Reagan administration responded by forming the National Center for Missing and Exploited Children. Children's photographs began appearing on milk cartons and mass-mail circulars.¹⁶⁶

Doubts arose, however, when simple math suggested that the numbers would mean that from one to five children would be missing from every American school. Yet few people seemed to be able to cite an actual case. Later research would show that the vast majority of abducted American children are taken by divorced, noncustodial parents and that only a few hundred are snatched by strangers for more than a few hours. But this information would not be published until the late 1980s. Meanwhile, urban legends about predatory adults and abducted children persisted, and media, including books and television, helped spread them.¹⁶⁷

That urban legends should persist despite evidence to the contrary is not surprising to some authors. American culture is awash in gullibility, writes Carl Sagan, Daniel Goleman and others. They note that half of all Americans have told

¹⁶⁶ Nathan and Snedeker, pp. 43-44.

See also: Andersen, Kurt (3 February 1997), "The Age of Unreason," *The New Yorker*, p. 41.

¹⁶⁷ Ibid.

Andersen writes that as a writer at *Time* magazine in 1984 his cursory investigation of the child-abduction figures showed no support for the high numbers. But, he writes, his editor refused to proceed with the story about unsupported numbers because it would make the magazine seem callous. The author also reports that one figure – 50,000 annual child-snatchings – was invented by the father of Adam Walsh. The father later said the number was a "guesstimate."

See also: Lanning, p. 6. Lanning, an FBI child-sexual-victimization expert, found after seven years of research that the number of stranger-abduction homicides of children ranged between 43 and 147 a year in the period. About half of the abducted children were teenagers.

pollsters that they believe in the devil, and many of those report that they have communicated with him. Some polls have attached higher figures to the number of Americans who believe in the devil literally.¹⁶⁸ About 2 percent of Americans say they have been abducted by extraterrestrials, some repeatedly. The magazine *Skeptical Inquirer* reports that a quarter of the members of Congress have said they believe in such “psychic” phenomenon as spoon-bending.¹⁶⁹ First Lady Hillary Rodham Clinton has participated in “channeled” discussions with the late Eleanor Roosevelt.¹⁷⁰

Goleman has suggested that the popularity of such pseudo-science may lie in a Darwinian impulse to avoid anxieties and painful experiences. To survive and propagate the species, the human mind has adapted to modern times a prehistoric response to being eaten by a saber-tooth tiger – to turn off the pain and fear. To reduce the stresses and anxieties of modern life, humans create mental “lacunas” – black holes, in effect – which allow the mind to block out anxiety-producing experiences and information. Thus, sexually inhibited humans, for example, can fail to perceive sexually suggestive material presented to them by employing this unconscious mental blocking mechanism. One of the costs of such lacunas, however, is diminished awareness.¹⁷¹

Coupled with this mental blocking and diminished awareness is another adaptive human behavior – demonizing, or scapegoating. In the context of the child-sex-abuse trials, as in earlier periods, such as Salem in 1692, contemporaneous social turmoil and moral crisis intensify searches for scapegoats. Among the many

¹⁶⁸ Nathan and Snedeker, p. 34.

¹⁶⁹ Martin Gardner (March/April 1996), “Claiborne Pell: The Senator From Outer Space,” *Skeptical Inquirer*, p. 12.

¹⁷⁰ Brigid Schulte (25 June 1996), “Mrs. Clinton Defends ‘Exercise’ with Guru, But Jokes About it Too,” *Raleigh News & Observer*, p. 1A.

¹⁷¹ Daniel Goleman (1985). *Vital Lies, Simple Truths: The Psychology of Self-Deception*. New York: Simon and Schuster, pp. 106-111.

elements identified as contributors to this late 20th century turmoil and crisis are a fear of modernity sensed by dispossessed groups, such as residents of small towns, in an increasingly urban and technological era,¹⁷² and the stress and guilt of child-rearing in families increasingly headed by two bread-winners.¹⁷³

Edenton, N.C., site of the Little Rascals Day Care, was certainly not immune to these stresses and fears. That these pressures may have contributed to the investigation and prosecution of the criminal child-sex-abuse case, as similar pressures have propelled past witch hunts, is a point that has been made repeatedly by writers and researchers. However, despite the timely availability of these wider perspectives on relevant issues, the local press in Edenton was unable or unwilling to exercise what the Hutchins Commission and other press observers a half-century earlier had recommended – that the press present the news in ways that convey deeper meaning and understanding. Thus, the cycles of witch hunts repeated themselves in Edenton over the course of the Little Rascals case without the local press exercising its watchdog role and shortcircuiting the cycle.

¹⁷² David Denby (13 January 1997), “The Alarmist,” *The New Yorker*, p. 72.

¹⁷³ Nathan and Snedeker, p. 34.

CHAPTER 4

SURVEY RESULTS

How did readers view local press performance on coverage of the Little Rascals case, one of the biggest news stories ever to develop in the small town of Edenton? In an effort to find out how Edenton readers would respond to that question, researchers drew a randomized sample of 300 names from the telephone book that provides the latest published listings for the town. Each of those 300 in March 1997 received by mail an eight-page questionnaire containing 27 questions about the case and news coverage of it. (A copy of the questionnaire and accompanying cover letter is in the Appendix.)

In consideration of the deep controversy that surrounds the story in the town, where an imminent retrial of the first defendant was anticipated, although not yet announced, as the survey was being conducted, respondents were promised anonymity.¹⁷⁴ By early April, 40 questionnaires had been returned. On April 4, postcard reminders were mailed to all 300 recipients.

Detailed quantitative analysis is beyond the scope of this thesis. What follows is a qualitative analysis of early respondents to the survey. In this qualitative study a sense of the community's use and evaluation of local media and attitudes about the Little Rascals case can be gleaned.¹⁷⁵

Of the survey's 27 questions, seven involved use of media as a source of news and information about the case. The first was Question 7: "How did you find out

¹⁷⁴ In late March and early April, the survey's preparers received phone calls from attorneys from both the prosecution and the defense in the pending retrial of Little Rascals defendant Robert F. Kelly Jr. Each attorney expressed concern that the survey might be an effort to undercut the other's case.

¹⁷⁵ Final data analysis is scheduled to be conducted during the summer of 1997 under the supervision of Dr. Anthony Oberschall, professor of sociology at the University of North Carolina at Chapel Hill. Results of the analysis have been offered for publication in *The Chowan Herald*.

about the allegations of child sexual abuse at the Little Rascals?” Respondents were asked to check as many of the seven responses as applied. The responses were:

- from parents who had a child at the Little Rascals
- from other people in Edenton
- from the newspapers and other news media
- from statements released by the police, social services, and other authorities
- from therapists
- I didn’t find out about it until after the arrest of Bob Kelly
- other (write in)

Of greatest interest to this study were responses to the third answer, “newspapers and other news media.” Of the 40 responses received by April 4, 33 replied that newspapers and other news media were a source of information about the allegations of child sex abuse. “Newspapers and other news media” received the greatest number of the seven possible responses.

The second media-related question was No. 8: “As the Little Rascals case developed, how important were these sources of information to you?” Responses included “newspapers and other news media,” along with parents of children who attended Little Rascals Day Care; other people in Edenton; police, prosecutor, social services and other authorities; defendants or lawyers for the defense; therapists or other sources (write in).

Twenty-one of the 40 respondents said news media were a “very important” source of information about the case. Thirteen said news media were “somewhat important” as a source of information about the case. Six respondents said news media were not an important source of information about the case. No other source was rated so important as news media for a source of information about the case.

The third media-related question was No. 9: “In the years 1989 to 1992, did you try to find out about the topic of child sexual abuse from any of these sources?”

Responses were “yes,” “no,” and “don’t remember” for each of the following media sources:

- newspapers and other news media
- book(s)
- magazine(s)
- video or film

Additional non-mediated sources also were listed:

- physician
- mental health professional
- clergy/minister
- teacher/educator
- law enforcement personnel
- seminars/lectures/meetings
- friends and other sources (write in).

Twenty-six respondents said newspapers and other news media were a source of information about child sex abuse during the period 1989 to 1992, the years between which the defendants in the Little Rascals case were arrested and the first defendant was tried and convicted. No other source ranked as high.

The fourth media-related question was No. 10: “*The Chowan Herald* covered the Little Rascals case. Check as many statements as you agree with on such news coverage.” Responses were:

- “news coverage was generally balanced and fair”
- “news coverage favored the prosecution”
- “news coverage favored the defense”
- “the news coverage was inaccurate about people in Edenton”
- “I didn’t follow the news coverage and have no opinion about it”
- “comment (write in)”

Twenty-seven respondents described the *Herald's* coverage as “generally balanced and fair.” Six respondents said the coverage favored the prosecution. Two respondents said the paper’s coverage favored the defense. The remaining five respondents gave other answers or no answer. No other news medium received as many “generally balanced and fair” responses as did the *Herald*.

Questions 11 through 13 asked respondents to similarly evaluate the Little Rascals coverage of three other news media, the *Elizabeth City Daily Advance*, a paper published about 30 miles east of Edenton in the county seat of Pasquotank County; “local TV news,” and “news media from outside the county.” The *Daily Advance* received 17 responses describing its coverage as “generally balanced and fair.” Local TV news received 16 such responses. And outside media received 15 “generally balanced and fair” responses. This study focuses only on the *Herald* and makes no independent analysis of the other three news media sources of information about the Little Rascals case.

Discussion

The following discussion and analysis of survey responses draw on the preceding chapters’ discussion of witch-hunt history, past press performance in witch hunts, and the sociological and psychological issues related to the most recent witch hunts, involving allegations of ritual child sex abuse in day-care settings, specifically the Little Rascals day Care case in Edenton, N.C.

Of the 40 respondents, 25 expressed a belief, in response to Question 19, that the first defendant to be tried in the Little Rascals case, Robert F. Kelly Jr., was “definitely guilty” or “probably guilty” following the trial verdict in 1992. Nine respondents expressed a belief that Kelly was probably or definitely not guilty. Five responded that they “couldn’t tell.” One respondent gave no answer.

The nearly three-to-one margin that believers in Kelly's guilt hold over believers in his lack of guilt seems to reflect attitudes formed early in the case and solidified since. Survey Question 15, for example, asked respondents about their belief in Kelly's guilt or innocence before his 1992 trial. Responses to questions 15 and 19 indicate no erosion of belief in Kelly's guilt. To the contrary, 21 respondents said they thought Kelly either was guilty or probably guilty before his trial. The increased number of expressed believers in Kelly's definite or probable guilt over the period before and after Kelly's trial suggests that a majority of Edenton residents believes in Kelly's guilt and that the majority has grown.

However, the number of respondents who expressed belief in Kelly's lack of guilt also has increased over time. Six respondents who recalled their beliefs before Kelly's trial, said they thought Kelly was either definitely or probably not guilty five years ago. Nine respondents now say that is their belief. Four of those nine described the coverage of the *Herald* as favoring the prosecution.

The responses about Kelly's guilt or innocence seem to reflect a hardening of opinion in Edenton. Recalling their beliefs of five years ago, 13 respondents gave either no answer or said they "couldn't tell" whether Kelly was guilty or not. Now, six respondents either gave no answer or couldn't tell.

Why is opinion hardening on both sides of the question about Kelly's guilt? It seems reasonable to speculate that since Kelly's conviction has been open to question following his successful appeal then doubts about his guilt ought to increase across the board. However, that has not happened in Edenton, judging from responses received to date. One reason for the hardening beliefs on both sides of the question about Kelly's guilt may be that as his retrial awaits, the case's lack of resolution may foster a sense that believers must not weaken now and that fence-straddlers are not welcome. As Coleman noted in his monograph on community conflict, so may it be noted about Edenton in the current atmosphere:

*Down in Harlan County, there are no neutrals there,
You either are a union man or a thug for J.H. Blair.
Which side are you on, man, which side are you on?*

The majority of respondents, who increasingly believe in Kelly's guilt, may hold to their belief in part because they have not absorbed or, as Goleman suggests, they have blocked out information about broader issues involving the sociology and psychology that surround the Little Rascals case, as discussed in the preceding chapter. One of those issues is child suggestibility. As discussed earlier in this study, a growing body of child-memory research in recent years has raised questions about accusations drawn from preschoolers in lengthy and repeated interviews about cases such as the Little Rascals. Because of such issues, similar cases have ended without convictions – the McMartin case, for example – and, in others, convictions have been overturned.

In the survey of Edenton residents, Question 20 asked respondents: "In your view, what was the most important evidence at the trial which influenced your belief about Bob Kelly's guilt or innocence? (write in)" Twenty-three respondents cited the testimony of the children as the most important trial evidence. Only five of those 23 respondents who cited the children's testimony expressed doubt about that testimony and a belief that Kelly was not guilty. Two others among the 23 said they weren't sure about Kelly's guilt or innocence. The large majority, 16 of the 23 who cited the children's testimony as critical, all expressed belief in Kelly's guilt. Fifteen of those 16 also rated the Little Rascals coverage of *The Chowan Herald* as "balanced and fair." Eleven of those 16 rated the *Herald* as a "very important" source of information about the Little Rascals case. An additional three respondents among the 16 rated the *Herald* as a "somewhat important" source of information about the

Little Rascals case. Ten of those 16 said in response to Question 9 (“In the years 1989 to 1992, did you try to find out about the topic of child sexual abuse from any of these sources?”) that they relied on newspapers and other news media for information about the fundamental issue of child sexual abuse.

It seems reasonable to conclude, therefore, that the most important evidence in Bob Kelly’s trial among survey respondents was the testimony of the children. Yet the respondents’ primary and most highly rated source of information about the case –newspapers in general and *The Chowan Herald* in particular – provided virtually no information about the suggestibility and believability of those youngest witnesses’ accusations during the critical first year of coverage, when, as Bayley suggests, strong and lasting opinions and impressions about the case probably were formed. Since much of the new research into child memory raises doubt about the recollections and eyewitness testimony of such children as the alleged victims in the Little Rascals case, and since much of this research was completed and published before the 1989-1992 Little Rascals period mentioned in the survey, then the majority of respondents who believed the children’s testimony, who used the *Herald* as their primary source of information about the case and who rated the paper highly may be basing their beliefs on grossly incomplete information about the most important element in the case.

It is fair to ask whether more complete information in the *Herald* would have changed the beliefs and attitudes expressed by survey respondents. Given the alleged crimes, the alleged conspiracy, the tender years of the alleged victims and the reported hysteria in the small town of Edenton, an exhaustive study of media use and persuasion under those conditions would be required and still might not produce a satisfactory answer. However, a reasonable hypothesis might be that the *Herald’s* “straight” reporting about the case, lacking analysis, depth, interpretation, initiative, skepticism or questioning, denied its readers the information that has led others

elsewhere to doubt the value of the key children's testimony and to overturn convictions based on it.

The hypothesis, however, requires more data and analysis, such as additional comparative data from other similar cases, including at least one other in North Carolina. More definitive still would be comparative data from similar cases nationwide during the period under study.

CHAPTER 5

CONCLUSIONS

Barring unforeseen fundamental change in our culture, it is safe to predict with some confidence of accuracy that witch hunts will recur in American society. The cycle of repetition in this century has been roughly every three decades. Thus, the Palmer raids of 1920, for example, preceded the McCarthy period, inaugurated in 1950, by three decades. And the ritual child-sex-abuse scare of the 1980s followed the McCarthy period by three decades. The Salem witch trials were only the first occurrence on this continent of the dark fears that periodically emerge in American society, as various writers have noted over the centuries since 1692. As Daniel Goleman has written, the evolution of the human mind, coupled with the anxieties of the age, almost assure repetition of our errors, due to our large capacity for mental blocking of our worst fears.

What ingredients go into a witch hunt? How can witch hunts be averted? These are questions that this research has aimed to address for the benefit of news media, whose past performance in witch hunts, with some exceptions, has fallen short of the Fourth Estate's traditional responsibility of watchdog, guardian against government trammeling of individual rights. This chapter, then, summarizes the research in a form that may serve as a how-to guide for news media so that they may avoid the failures described herein during periodic repetition of witch hunts.

Recognizing witch hunts

In general, history teaches that the following characteristics have contributed to witch hunts, particularly those triggered by the church beginning in the 15th century:

- that witch hunters have an absolute certainty in the righteousness of their beliefs, and an equal certainty in the error of others
- that witch hunters are motivated by good, others by evil
- that the deity speaks to witch hunters, but not to others of different faiths
- that it is wrong to challenge convention or to ask probing questions
- that duty demands belief and obedience

In the more secularized versions evident in U.S. history, other characteristics of true believers have been described, such as a lack of skepticism, a rejection of science and a tendency toward scapegoating. Key warning signs follow.

A climate of fear pervades society. In the century's first Red scare, a fear of foreigners, particularly Bolsheviks, became widespread after World War I and the Russian Revolution. In the second Red scare, a fear of Communists infused American politics and culture after World War II and at the dawn of the Cold War. And in the ritual child-sex-abuse hysteria of the 1980s, a belief that satanists and pedophiles were abducting thousands of children, combined with new stresses and guilt associated with child-rearing in two-income families, fed fears that contributed to a wave of prosecutions. In all cases, skeptics were fearful that speaking out would expose them to persecution or prosecution. During the investigative phase of the Little Rascals case, for example, skeptics were threatened with indictment by prosecutors.

Evidence of wrongdoing is speculative or non-existent. In the Salem witch trials, "spectral" evidence was the key to executing accused witches. During the McCarthy period, not one communist was found to be employed in the federal government, despite years of charges to the contrary by the Wisconsin senator. In the McMartin Pre-School case, belief that an underground tunnel existed beneath the preschool where children were abused persists to this day despite excavations that have produced no evidence. In the Little Rascals case, contradictory, uncorroborated and

bizarre testimony of young children recalling events that occurred years earlier was sufficient to convict. Further, prosecutors theorized that alleged child abuse was conducted in part to supply a pornography ring operating out of a back room at a local video store owned by one of the defendants, despite an absence of photographic evidence to the contrary.

Contradictory findings are ignored. During the first Little Rascals trial, proceedings were temporarily halted while prosecutors acting on a tip dispatched investigators to Montana to search a home for the photographic evidence of child pornography that prosecutors lacked. The search turned up no evidence ever introduced by prosecutors. The trial resumed. When the children named people other than the seven defendants as perpetrators, prosecutors ignored the accusations.

Alternative hypotheses are not considered. From Salem's witch trials to Edenton's child-sex-abuse trials, the possibility that the child-accusers were lying or being misled was not seriously considered by authorities. In Salem, Scripture was the source of faith in the natural truth-telling instincts of children. In Edenton, "believe the children" was the ritual incantation recited as an article of faith among prosecutors, therapists and parents of the allegedly abused children.

Authorities harbor political ambitions. In Salem, Cotton Mather, a leading local cleric and a leader in the witch trials, sought the presidency of Harvard College. During the Palmer raids, U.S. Attorney General A. Mitchell Palmer sought a nomination for U.S. president. Sen. Joseph McCarthy in 1950 seized an issue that he and his advisors felt would boost his flagging re-election prospects two years hence. In the McMartin and Little Rascals preschool child-sex-abuse cases, district attorneys who initiated the cases faced re-election campaigns.

Well-organized bureaucracies support the witch hunt. During the European witch hunts that began in the 15th century, tribunals and inquisitors were supported by

church-state bureaucracies that covered their expenses with the property of accused witches and their surviving family members. The McCarthy period's witch hunts were supported by well-funded committees of the U.S. Congress, including one chaired by Sen. McCarthy. The ritual child-sex-abuse cases that swelled in the 1980s were supported by an industry and bureaucracy created by the 1974 Child Abuse Prevention and Treatment Act (CAPTA), or the Mondale Act.

Averting witch hunts

Sociologist James Coleman described numerous elements that contributed to the community conflicts that arose in his research during the McCarthy period – and in some cases inspired by the senator's anti-Communist campaigns – of the early 1950s. But Coleman also concluded that *each* of the elements he described must be present for a controversy to arise. The absence of one element alone meant that the conflict would be stifled and fail to grow into a true controversy.¹⁷⁶

Coleman's conclusion suggests that the absence of a single contributing factor in the witch hunts examined in this study might have defused them. The theory requires further study, but as Bayley and others have suggested the factor which may hold the most promise for defusing witch hunts is press initiative. But from the press' willingness to reprint whole newspaper pages prepared by Attorney General Palmer early this century to its failure to examine critically the bizarre allegations of ritual child sex abuse at day-care centers more recently, the historical record suggests that the press, with few exceptions, has routinely shirked its watchdog responsibility in witch hunts. What follows, then, is a prescription for press avoidance of recurring failures to uphold its responsibilities in witch hunts that may arise in the future.

¹⁷⁶ Coleman, p. 9.

Objectivity. A half century after a long-running and rancorous debate over press adherence to the traditional doctrine of objectivity, the argument seems to have been forgotten. In 1955, the Associated Press finally and unanimously adopted the reform of news interpretation as a necessary element in all its coverage in an effort to prevent the weaknesses of traditional news objectivity exposed during the McCarthy period. The move followed a five-year debate that centered on McCarthy's successful exploitation of such rules of news objectivity as investment of authority in officials, whether the official was authoritative or not, and a definition of news that restricted coverage only to events and that barred reporting that set the events in context and perspective. Despite the McCarthy-era success of pro-interpretive journalists, their reforms have not been followed in more recent witch hunts. Contrary to the winning argument in the objectivity-versus-interpretation debate, reporters, editors and producers have continued to assert that they would be overstepping their responsibilities and violating the rules of objectivity to report anything other than what officials say, as they have asserted in witch hunts throughout this century up to and including the Little Rascals case.

Skepticism. It's a byword among members of the news media, but skepticism was not often evident amid witch hunts this century. As Bayley has written, a disturbing lack of questioning was apparent during the McCarthy period. Similarly, Shaw echoed the same criticism in his examination of McMartin coverage. Finally, this study of local Little Rascals coverage found the same press willingness to accept an official version of events without question. The reason for the gap between professed and actual skepticism may be found in the pressures of time as a sensational story develops. Perspective takes a back seat in the race to get the latest news. Or the pressure may be in the form of resources. Tight budgets and small staffs deter reporters and editors from making the effort necessary to supply

broader meaning and understanding than mere “straight” reporting of events can provide.

Delay. The longer the press waits to provide the necessary perspective, the easier it becomes for witch hunters to succeed. As Bayley noted, many of the doubts about Senator McCarthy, his veracity and his motives were known among a cadre of reporters in Wisconsin and Washington who were most familiar with him. But the longer they waited to trace the senator’s lies, the more difficult it became to stop the train of events that the lies started, such as the empaneling of congressional investigating committees. The story assumed a life of its own once the public absorbed the press’ framing of it – namely, that Communists were infesting the federal government; Senator McCarthy said it was so. Four years passed before the press and the infant broadcast news media could overcome this initial framing of events. Similarly, years passed before the urban legends about a wave of child-snatching by pedophiles and satanists were found to be completely unsupported.

Pendulum. As it was with McCarthy, so it was with other leaders of witch hunts: Following acceptance of official versions, the press eventually reversed its framing of witch hunts and their leaders. In the Palmer period, the attorney general’s news media portrayal went from fighter to “faker.” McCarthy’s fall took longer but was just as dramatic. Most coverage of ritual child-sex-abuse cases tends to be skeptical if not critical now, more than a decade and a half after they arose. Some commentators have described the swing from pro- to anti-witch hunt coverage as an elongated form of the balancing traditionally applied to more routine news reporting, although the time frame and the emphases are more extreme.

Patterns. As McCarthy illustrated, a news focus on events serves the interests of witch hunters. As the famous, if belated, Edward R. Murrow broadcast on McCarthy illustrated, a focus on patterns weakens witch hunters. As the exclusively event-oriented and officially attributed early coverage of *The Chowan Herald* suggests, its

“straight” reporting repeated one of the worst failures of the McCarthy era – namely, a lack of coverage that set events in a context that lent understanding and meaning, as the Hutchins Commission recommended in 1947. Among the more meaningful developments that might have lent deeper understanding to readers of the child-sex-abuse cases of the 1980s, for example, were historic and fundamental changes in rules applying to child eyewitness testimony and significant new research findings on the psychology of memory and child suggestibility, none of which were reflected in any of the local coverage of the Little Rascals case.

These traits of failure in press coverage of witch hunts, then, may hold a guide for avoidance of errors of the past and for prevention of witch hunts in the future. As Salem historian Charles Upham wrote, the bad seeds of fear, repression, scapegoating and witch-hunting “are slumbering still in the bosom of society.” The best hope for stopping regrowth of those seeds may lie in a more aware, informed, responsive, skeptical, interpretive and meaningful press.

APPENDIX

THE EDENTON SURVEY

(COVER LETTER)

Dear Resident of Edenton:

You've been chosen at random from the telephone book for a survey of Edenton residents about their beliefs and actions concerning the Little Rascals day care center child sex abuse case and trials. Your answers are confidential; they will be tabulated together with all other answers and will not be identifiable individually. The survey is conducted by Dr. Anthony Oberschall, professor of sociology at the University of North Carolina at Chapel Hill. He has studied and written on public opinion for many years. The survey results will be made available to the Chowan Herald in early 1997, and you will be able to read about them. If you don't wish to participate in the survey, throw away the questionnaire. Non-participation as well as participation will remain confidential.

There are no right or wrong answers to these questions. The study is about your beliefs, opinions, knowledge and actions during the Little Rascals case. It will take only a few minutes to answer the questions on the questionnaire. There is a stamped envelope with a return address provided for you to mail it back. Thank you for your cooperation. If you have any questions about the survey or the questions, please call 919-962-7564 during work hours, or write Dr. Oberschall at the address on the return envelope. You may contact the UNC-CH Academic Affairs Institutional Review Board at the following address and telephone number at any time during this study if you have questions or concerns about your rights as a research subject.

Academic Affairs Institutional Review Board
Frances A. Campbell, Chair
CB# 4100, 300 Bynum Hall
University of North Carolina at Chapel Hill
Chapel Hill, North Carolina 27599-4100
(919) 966-5625

Thank you for your cooperation,

Dr. Anthony Oberschall

Questionnaire for Edenton Residents

Directions. For most questions, you can simply check the answer or answers that best fit your view in the space provided. In some questions, you can write-in an answer.

If you didn't live in the Edenton area from 1989 to 1992, do not fill out the questionnaire but send it back in the envelope. If you were less than 16 years old in 1989, please give the questionnaire to an adult in your household.

Because the events started several years ago, here is a brief summary of the Little Rascals case to refresh your memory case. January 1989: investigation into allegations of child sexual abuse at Little Rascals starts. April 1989: co-owner Bob Kelly arrested, followed by arrests and indictments of his wife Betsy Kelly and others on similar charges. April 1992: Bob Kelly found guilty and sentenced to life in prison. In 1992-94, Dawn Wilson, a cook at the day care, was found guilty; Betsy Kelly pleaded no contest, sentenced to seven years, and later paroled; Scott Privott was sentenced to time already served. May 1995: North Carolina Court of Appeals overturns Bob Kelly's and Dawn Wilson's convictions. April 1996: Bob Kelly indicted on new counts of sex crimes. December 1996, prosecution drops case against remaining three day care workers.

QUESTIONS:

The first questions refer to the time when the allegations of child sexual abuse were first made in 1989.

1. In 1989, when the allegations of sexual abuse at Little Rascals were first made, had you heard or read anything about child abuse in day care centers elsewhere in the U.S.?

- yes
- no
- don't remember

2. Which of these statements best describes your views on child sex abuse at the time (check as many as apply):

- child sex abuse was a serious problem in the U.S. and could happen anywhere
- child sex abuse was a problem, but not as serious as drug abuse
- although child sex abuse was a problem in some places, it was unlikely to happen in Edenton
- I hadn't thought about child sex abuse before the controversy started
- other (write in) _____

3. In 1989, when the allegations of child sexual abuse were first made (check one):

- I had no children under seven years of age
 I had at least one child under seven, but none attended the Little Rascals
 I had at least one child under seven, who attended the Little Rascals
 I had a grandchild who was attending the Little Rascals
 other (specify) _____

4. At that time in 1989 (check one):

- I did not know any families whose children attended the Little Rascals
 I did know such a family or families, but we were not close
 I had close friends whose children or child attended the Little Rascals

5. At that time in 1989 (check one):

- I did not know Bob and Betsy Kelly at all
 I knew them somewhat, the way many people know of each other in a small town
 I knew one or both personally, very well
 Other (write in) _____

6. At that time, in 1989, how interested were you in the Little Rascals case

- very interested
 somewhat interested
 not at all interested

7. How did you find out about the allegations of child sexual abuse at the Little Rascals? (check as many as apply)

- from parents who had a child at the Little Rascals
 from other people in Edenton
 from the newspapers and other news media
 from statements released by the police, social services, and other authorities
 from therapists
 I didn't find out about it until after the arrest of Bob Kelly
 other (write in) _____

8. As the Little Rascals case developed, how important were these sources of information to you:

- | | | | |
|--|--------------------|------------------------|-------------------|
| a. parents who had a child at Little Rascals | very important ___ | somewhat important ___ | not important ___ |
| b. from other people in Edenton | very important ___ | somewhat important ___ | not important ___ |
| c. newspapers and | very important ___ | somewhat important ___ | not important ___ |
| d. police, prosecutor, social services and other authorities | very important ___ | somewhat important ___ | not important ___ |
| e. Defendants or defense | very important ___ | somewhat important ___ | not important ___ |
| f. Therapists | very important ___ | somewhat important ___ | not important ___ |
| g. other sources (write in) _____ | | | |

9. In the years 1989 to 1992, did you try to find out about the topic of child sexual abuse from any of these sources?

- | | | | |
|------------------------------------|---------|--------|--------------------|
| a. newspapers and other news media | yes ___ | no ___ | don't remember ___ |
| b. book(s) | yes ___ | no ___ | don't remember ___ |
| c. magazine(s) | yes ___ | no ___ | don't remember ___ |
| d. video or film | yes ___ | no ___ | don't remember ___ |
| e. physician | yes ___ | no ___ | don't remember ___ |
| f. mental health professional | yes ___ | no ___ | don't remember ___ |
| g. clergy/minister | yes ___ | no ___ | don't remember ___ |
| h. teacher/educator | yes ___ | no ___ | don't remember ___ |
| i. law enforcement personnel | yes ___ | no ___ | don't remember ___ |
| j. seminars/lectures/meetings | yes ___ | no ___ | don't remember ___ |
| k. friends | yes ___ | no ___ | don't remember ___ |
| l. other source (write in) _____ | | | |

10. The Chowan Herald covered the Little Rascals case. Check as many statements as you agree with on such news coverage.

- the news coverage was generally balanced and fair
- the news coverage favored the prosecution
- the news coverage favored the defense
- the news coverage was inaccurate about people in Edenton
- I didn't follow the news coverage and have no opinion about it
- comment (write in) _____

11. The Elizabeth City Daily Advance covered the Little Rascals case. Check as many statements as you agree with on such news coverage.

- the news coverage was generally balanced and fair
- the news coverage favored the prosecution
- the news coverage favored the defense
- the news coverage was inaccurate about people in Edenton
- I didn't follow the news coverage and have no opinion about it
- comment (write in) _____

12. Local TV news covered the Little Rascals case. Check as many statements as you agree with on such news coverage

- the news coverage was generally balanced and fair
- the news coverage favored the prosecution
- the news coverage favored the defense
- the news coverage was inaccurate about people in Edenton
- I didn't follow the news coverage and have no opinion about it
- comment (write in) _____

13. News media from outside the county also covered the Little Rascals case. Check as many statements as you agree with on such news coverage

- the news coverage was generally balanced and fair
- the news coverage favored the prosecution
- the news coverage favored the defense
- the news coverage was inaccurate about people in Edenton
- I didn't follow the news coverage and have no opinion about it
- comment (write in) _____

14. The Little Rascals case was controversial. What did you do? (check as many as apply)

- I tried to avoid controversy; by keeping my thoughts to myself
- I had some disagreements with others, but they were not serious
- I had serious disagreements with some others on the Little Rascals case; I lost some friends
- I formed new friendships with some of those who agreed with me about the Little Rascals
- people I talked to agreed with me; there was no disagreement

15. Before Bob Kelly's trial in 1992, how would you describe your beliefs about his guilt or innocence? He was (check one)

- definitely guilty
- probably guilty
- couldn't tell
- probably not guilty
- definitely not guilty

16. As far as you can tell before the trial in 1992, what was the opinion of people in Edenton about Bob Kelly's guilt or innocence?

- nearly all thought he was guilty
- more than half thought he was guilty
- people were divided 50-50
- more than half thought he was not guilty
- nearly all thought he was not guilty
- there was no way of knowing

Now think about the trial of Bob Kelly in 1992.

17. How much attention did you pay to the trial? (check one)

- I followed the trial day by day, regularly
- I paid some attention to the trial
- I found out about the highlights
- I didn't pay attention to the trial
- comment (write in) _____

18. Did you personally attend any part of the trial?

yes

no

19. After the trial, how would you describe your beliefs about Bob Kelly's guilt or innocence? He was (check one)

a. definitely guilty

b. probably guilty

c. couldn't tell

d. probably not guilty

e. definitely not guilty

20. In your view, what was the most important evidence at the trial which influenced your belief about Bob Kelly's guilt or innocence? (write in)

21. Do you believe Bob Kelly got a fair trial? (check one)

definitely yes

probably yes

probably no

definitely no

no opinion

22. Now think of the other defendants in the Little Rascals case. Do you believe they are guilty or not guilty? (check one)

- | | | |
|--|--|--|
| <p>a. Betsy Kelly is</p> <p><input type="checkbox"/> definitely guilty</p> <p><input type="checkbox"/> probably guilty</p> <p><input type="checkbox"/> couldn't tell</p> <p><input type="checkbox"/> probably not guilty</p> <p><input type="checkbox"/> definitely not guilty</p> | <p>b: Dawn Wilson is</p> <p><input type="checkbox"/> definitely guilty</p> <p><input type="checkbox"/> probably guilty</p> <p><input type="checkbox"/> couldn't tell</p> <p><input type="checkbox"/> probably not guilty</p> <p><input type="checkbox"/> definitely not guilty</p> | <p>c: Scott Privott is</p> <p><input type="checkbox"/> definitely guilty</p> <p><input type="checkbox"/> probably guilty</p> <p><input type="checkbox"/> couldn't tell</p> <p><input type="checkbox"/> probably not guilty</p> <p><input type="checkbox"/> definitely not guilty</p> |
|--|--|--|

The North Carolina Court of Appeals in May 1995 overturned Bob Kelly's conviction, but in April 1996 he was indicted on eight new counts of sex crimes. What are your opinions about these events? Do you agree or disagree with these statements?

- | | | |
|--|--|--|
| <p>23. The Appeals Court decision was based on legal technicalities; I believe the original jury verdict of guilty was right</p> | <p>24. The Appeals Court decision cast doubts on the fairness of the original trial and on the soundness of the jury's verdict</p> | <p>25. The prosecution should proceed and try Bob Kelly on the new charges</p> |
| <p><input type="checkbox"/> strongly agree</p> <p><input type="checkbox"/> somewhat agree</p> <p><input type="checkbox"/> no opinion</p> <p><input type="checkbox"/> somewhat disagree</p> <p><input type="checkbox"/> strongly disagree</p> | <p><input type="checkbox"/> strongly agree</p> <p><input type="checkbox"/> somewhat agree</p> <p><input type="checkbox"/> no opinion</p> <p><input type="checkbox"/> somewhat disagree</p> <p><input type="checkbox"/> strongly disagree</p> | <p><input type="checkbox"/> strongly agree</p> <p><input type="checkbox"/> somewhat agree</p> <p><input type="checkbox"/> no opinion</p> <p><input type="checkbox"/> somewhat disagree</p> <p><input type="checkbox"/> strongly disagree</p> |

26. Although we have asked you many questions about your beliefs, opinions and actions concerning the Little Rascals case, what other matters and concerns are important for understanding your views? Write them in below.

27. Demographics (for classification purposes only)

Residence in Edenton (check one or specify)

- I grew up in the Edenton area and have lived here most or all my life
 Although I did not grow up in Edenton, I have lived here since 19__

Location:

- I live within five blocks of the downtown waterfront
 I live more than five blocks from the downtown waterfront

Home ownership:

- I am a homeowner in the Edenton area
 I am not a homeowner in the Edenton area

Church membership:

- member of a local church
 not a member of a local church

Age: 18-30 31-40 41-50 51-60 over 60

Education: some high school or less high school graduate some college
 college graduate or beyond

Gender: female male

Race: black white other

Marital status: currently married never married divorced/separated

Employment: full time part time (less than 30 hrs/week) not employed student

Household income (all earners and sources combined):

- less than \$15,000
 \$15,000 to \$30,000
 \$30,000 to \$45,000
 \$45,000 to \$60,000
 more than \$60,000

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