



Department of Justice

STATEMENT

OF

**ATTORNEY GENERAL
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BEFORE THE

**COMMITTEE ON
COMMERCE, SCIENCE AND TRANSPORTATION**

UNITED STATES SENATE

CONCERNING

**VIOLENT PROGRAMMING
ON TELEVISION**

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Introduction

Thank you very much, Mr. Chairman. I am pleased to join you this morning. I want to congratulate this Committee for taking on such an important topic.

As Attorney General, I am dedicated to fighting violence wherever it is found: in the streets, in our neighborhoods, in our schools and in our homes. But reactive tools like tough sentences and expanded police forces are barely able to keep up with crime. I would like to talk today about the challenges we face in trying to prevent crime in the first place. In particular, I want to address the role of television in our culture of violence -- and what it will take to achieve real change.

The Promise and Disappointment of Television

I am not here to bash television. Earlier this week, I sat down with a number of industry executives, representatives of the broadcasting networks and cable TV, for a frank exchange of views. They had a lot to say, and I listened carefully. I believe that there is a widespread recognition of the scope of this problem, and a growing realization that television programming can and must be part of the solution.

It is easy to forget what a miracle television is, the promise that it holds, and the remarkable capacity for education that it possesses. It has literally changed how we see the world and our place in it. An informed electorate is the backbone of our democracy, and television news, political debates and other public affairs programming are a primary source of information for voters and leaders alike. In its short history, television has also offered outstanding programming in the areas of education, the arts and entertainment.

But the promise of television remains vastly unfulfilled. Too much of today's programming neither uplifts nor even reflects our national values and standards. Instead of disseminating the best in our culture, television too often panders to our lowest common denominator. More than thirty years ago, FCC Commissioner Newton Minow called television a "wasteland." I wish I could say that I thought there had been great improvement since then.

The Evidence

In only half a century, television violence has become as central to the life of our young people as homework and playgrounds. By the end of elementary school, the *Journal of the American Medical Association* reports that the average American child has watched 100,000 acts of violence -- including 8,000 murders. By age 18, those numbers have jumped to 200,000 acts of violence and 40,000 murders. A 1992 analysis of a typical day of television, commissioned by *TV Guide*, revealed about 10 acts of violence an hour. That means that 10 times an hour, we expose children to behavior that society and the law

condemn and prohibit. On Saturday mornings, when television programming targets children, that total jumps to 20-25 violent acts an hour.

And year after year, a troubling body of evidence has been building up -- evidence that shows a clear link between television violence and aggressive behavior. With each review of the evidence, scientists have become more and more convinced that television violence and real-life aggression are strongly linked:

- After a decade of more research, the National Institute of Mental Health concluded that "the great majority" of studies linked television violence and real-life aggression.
- And just last year, the American Psychological Association's review of research was conclusive, saying that "the accumulated research clearly demonstrates a correlation between viewing violence and aggressive behavior."

Critics say these studies only show that many people who happen to watch violent television also happen to exhibit aggressive behavior, rather than proving that such viewing actually *leads to* violent behavior. They argue that there could be another factor which causes both things to happen.

Mr. Chairman, I am not here today as a scientist. I am here as an Attorney General who is concerned about the future of this country's children, and as a concerned American who is fed up with excuses and hedging in the face of an epidemic of violence. When it comes to these studies, I think we are allowed to add our common sense into the mix.

Any parent can tell you how their children mimic what they see everywhere -- including what they see on television. Studies show children literally acting out and imitating what they watch. The networks themselves understand this point very well: they run public service announcements to promote socially constructive behavior, they announce that this year's programs feature a reduced amount of violence, and they boast of episodes encouraging constructive behavior. In each instance they endorse the notion that television can influence how people act.

The link between violent programming and real violence is especially ominous for those in our society already facing the most turbulence and strife. Many young Americans struggle to construct a value system amidst increasingly amoral circumstances. We already know that children from low-income families watch an especially large amount of television. When TV lacks for constructive, value-oriented programming, it already lets them down.

But what is the effect of 10 violent acts an hour on these struggling children? In dangerous neighborhoods, television may be one of the safest forms of recreation left for children -- unless it is more violent than the streets they are afraid to walk. Indeed, in high-crime areas, television violence and real violence have become so intertwined that they may

well feed on each other. If this is true, then television is utterly failing us.

The problem is not just numbers and studies; it is the indiscriminate way in which violence is strewn about every portion of television programming. I'm not here to condemn documentaries which teach us the lessons of war, news programming that seeks only to accurately portray the darker side of real life, or sporting events that help society channel its competitive and aggressive impulses. Violence has always been a part of our life, our history and our culture; and, television programming in a free society should not be expected to pretend otherwise.

But violence has become the salt and pepper of our television diet: fictional shows and movies feature dozens of killings of bad guys or innocents; made-for-TV movies glorify the most sordid examples of human behavior; the local news opens with pieces on violent crimes before proceeding to any other type of story; and so-called "real life" police programs portray the world of law enforcement as nothing but a violent game between America's police and its citizens.

It's also worth noting that this problem does not end with an eighteenth birthday. Repeated exposure to violent programming also hurts adults -- by heightening our fear and mistrust of the outside world, by convincing us that our epidemic of violence is too intractable to address, by numbing us to the plight of its victims, or by repeatedly showing us how to address the most frustrating problems of life with violence.

Moving Forward

In the face of these concerns, many people in the television industry argue that the solution is simple: that parents should just turn the television off. I agree that parental supervision must always be the first line of defense -- indeed, my mother didn't allow our family to have a television.

But as slogans go, I fear that "let parents turn off the television" may be a bit naive as a response to television violence, especially when you consider the challenge that parents face in trying to convince children to study hard, behave and stay out of trouble. Supreme Court Justice John Paul Stevens once compared this argument to "saying that the remedy for an assault is to run away after the first blow." Indeed, many parents don't want to have to turn the television off -- they want to expose their children to the good things television can offer, like educational and family-oriented programs.

As I said earlier, I am not here today to bash the television industry, nor am I looking for villains. I believe that television executives are genuinely concerned about this problem, and I commend the actions they have taken to address the issue of violent programming. It is also clear that some have worked harder to address this issue than others, and I address my remarks to all programmers -- including those in the cable industry and independent stations which air mostly syndicated programming.

For example, I think the networks acted constructively when Congress passed the Television Program Improvement Act of 1990. By working together to issue joint "Standards for the Depiction of Violence in Television Programming," the networks showed their willingness to confront this issue. And the "Advanced Parental Advisory" system announced this June will provide viewers with programming advisories and anti-violence promotional announcements.

I believe these are positive steps. They are, however, extremely small steps. For example, the joint standards issued in 1992 required no change in network programming -- they essentially restated each network's existing policy. And the networks have indicated that the new advisory system would have led to few warnings during last year's schedule.

What does upset me is when the leaders of powerful institutions which bear some responsibility for the problem -- and possess powerful resources to address it -- treat any discussion of their role as political persecution, or seek to shift all responsibility for solutions everywhere else.

Mr. Chairman, I am tired of the shoulder-shrugging and the finger-pointing. No one ever accused the networks or television violence itself of somehow being solely responsible for violence in America. I believe that we all contribute to the development of our young people.

All I am asking today is that the entertainment industry -- and that includes the movies, the broadcasting networks, cable TV and the independents -- acknowledge their role and their responsibilities, and pledge to work with us to use every tool they have to address this problem. There's been enough bickering over the problems.

Let's talk about solutions we can work on together -- right now.

Legislative Options

There are many legislative proposals and much talk about regulation of the industry to limit violence on television. This is not, in my view, the place to begin to effect real and lasting change; but it does raise an important point of departure for any discussion of legislation and other solutions: that regulation of violence is constitutionally permissible.

In the case of *FCC v. Pacifica* -- where the Court permitted the FCC to regulate which hours indecent programming could be aired -- Justice Stevens wrote the following for the majority:

- "We have long recognized that each medium of expression presents special First Amendment problems. And of all forms of communication, it is broadcasting that has received the most limited First Amendment protection."

He went on to cite two reasons for this distinction:

- "First, the broadcast media have established a uniquely pervasive presence in the lives of all Americans. Patently offensive, indecent material presented over the airwaves confronts the citizen, not only in public, but also in the privacy of the home, where the individual's right to be left alone plainly outweighs the First Amendment rights of an intruder."
- "Second, broadcasting is uniquely accessible to children, even those too young to read. Other forms of offensive expression may be withheld from the young without restricting the expression at its source."

In view of this breadth, the various Senate bills under consideration appear to be constitutionally sound under the *Pacifica* language. Despite this fact, and despite the popular support for action to curb television violence, I believe that government intervention is neither the best option nor the first we should try. But it is up to others to ensure that it is **not** the only option left. The best solution would be action taken outside of the government -- by parents, by educators, and, first and foremost, by the entertainment industry.

Other Solutions

For those who produce, distribute and underwrite programming on the networks, cable TV and the independents, I believe that the time for business as usual has come to an end. I know that the television and film industries see violent programming as a source of lucrative revenues, but the time has come to break the cycle of television violence.

It is time for the television and film industry to search their souls and realize that it possesses enormous power in a free society -- power that can lead to significant unintentional side effects. Advertisers must reevaluate the nature of the messages they wish to subsidize, since each commercial minute they buy pays for the transmission of certain values to our children.

There are many more things the television industry can do. To begin with, parents need to know more about programming before it is broadcast. Other forms of media offer parents a chance to review what their children will be exposed to. The parental advisories offered this fall are a constructive first step, but parents could be offered more information -- such as more detailed warnings or motion-picture style ratings based on the amount of violence in a program. Even then, advisories do nothing when parents are unable to watch a program with their children.

I also think it is time the television industry helped us get our facts straight when it comes to television violence. It would be very constructive if the networks, cable TV and the independents were to analyze the violence on their own programs, not just those they produced but all programming shown, and issue reports to the public. I understand the

reasoning behind Senator Dorgan's proposal to mandate such reports; but I would prefer to give the networks an opportunity to show they are willing to do so on their own.

Most importantly, however, I think it is time for television to re-examine what programs they buy and when they air them, especially during prime-time hours. That includes both programming *and* promotions for upcoming programs and for movies -- which often show the most violent highlights of programs children can't stay up to watch. It's not only the right thing to do -- it's good business, given how many of the top-rated shows last year were non-violent comedies.

Simply curbing violent programming would be a very positive first step. But what if all television offered more shows with plots which actually repudiated violence? What if parents knew there was programming available featuring anti-violent themes, the resolution of disputes without resort to violence, and people managing anger without picking up a gun? Television doesn't have to pretend that violence doesn't exist -- but it certainly does not have to present it as a solution to a problem.

So many of our children want to be heroes, but don't have an outlet. That's why they read about comic book superheros and idolize athletes. In the World War Two era, young people went off to fight fascism. Three decades ago, President Kennedy called on them to join the Peace Corps. Congress recently passed National Service legislation which I hope will call more people to heroism.

But why can't television offer more examples of young people who see the violence and other problems around them and work to make things better? What if it did more to highlight kids and adults who work to pick up their lives and change their communities?

Television can help teach children a lot about do's and don'ts -- but it has to go beyond that to relate to their world and show them that being an American means that they can grow up to be who they want to be and really make a difference, regardless of their circumstances. Television can help restore hope in children for whom hope doesn't come easy: by promoting self-respect and esteem, by teaching that decisions should be made based on what is right instead of what peers want, that being different should lead to tolerance and acceptance, and that they should never go near or touch a gun.

Some television, primarily the networks, have also begun to air anti-violence public service announcements. That's a great start, and I hope they will air more, but I hope that the day will come soon when the role of a public service announcement goes beyond that of antidote to the very programming which surrounds it. Many of the independent stations and cable networks do not even have standards and practices divisions.

I know concern has been expressed as to the application of anti-trust laws to any joint activities by networks to address the problem of television violence. I don't see any reason why the anti-trust law should be a barrier to the development of reasonable guidelines and

standards. The Administration stands ready to work with the industry to try to help them resolve any uncertainties they may have.

As I said before, the television industry has taken some first steps to address these problems. I am convinced that the men and women of the television industry are deeply concerned about violence in America, and recent history shows they are willing to go beyond mere talk. When television characters began buckling their seat belts, and TV smoking and drinking became less glamorous, the industry demonstrated its willingness to bring their enormous power to bear on behalf of societal needs. But if further, significant voluntary steps are not taken soon, I know how difficult it will be to forestall government action.

We also need to encourage change at home and in our schools. But how ironic it is that we even have to talk of parental and educational responses to television violence. Don't things seem upside down when violent programming is turning television into one more obstacle that parents and teachers have to overcome in order to raise children? The First Amendment rightly puts the burden on anyone seeking to limit violent programming. But what if the burden were on television to justify violent programming?

We do need to encourage parents to take more of a role in their children's television viewing, however. Parents can keep an eye on what programs their children watch, watch television with them, talk with them about what they see and explain the difference between fictional violence and what the world expects of them. Parents can also bring economic pressure to bear on companies who sponsor violent programming. A national campaign would let advertisers and programmers know that Americans are willing to show their frustration with television violence with their wallets as well as their remote controls.

Since education is so critical to addressing this problem, our schools can play a part. In Aurora, Illinois, 4th graders are learning how to view television more critically. Like parents, teachers can help explain to kids how television violence is fiction that is shown only for entertainment purposes, how wrong it is, how painful and permanent real violence is, and how to solve conflicts without violence.

Conclusion

Mr. Chairman, I believe in an open society and a strong First Amendment. My instincts militate against governmental involvement in this area. But I also believe that television violence and the development of our youth are not just another set of public policy problems. Rather, they go to the heart of our society's values.

The best solutions lie with industry officials, parents and educators, and I don't relish the prospect of government action. But if further voluntary steps are not taken, public pressure for more intrusive measures will grow more intense -- and more difficult to resist.

I want to use this forum to challenge television to reduce substantially its violent

programming in one year's time. Cold turkey would be better, but I want to allow a time period for a reasonable transition. In the coming months, I want to work with everyone concerned with this problem, to reach out to parents and children and teachers and people in the entertainment industry. We need to proceed soberly and rationally, and not succumb to hysteria or slogans on any side. But we must move forward.

I would like to close with a very personal appeal -- to you, Mr. Chairman, to the other Senators gathered here today, to parents and educators, and especially to the men and women of the television industry. I am holding letters in my hand from 75 children attending Park Elementary School in Munhall, Pennsylvania. One of them -- from Amber-Lynn Manning -- puts it very simply: "Dear Miss Reno, I don't like violence on TV. It makes me feel rotten. How can you help me?" Ms. Manning has challenged us. We must respond.