

Culture and Family Institute @ Work . . .

CFIReport



By Martha Kleder

Chi McBride acts the part of Principal Steven Harper on FOX-TV's Boston Public, a program the FCC should be monitoring much more closely.

Boston Public's drooling obsession with sex may finally gain the attention of the Federal

Communications Commission. A coalition of citizens' groups has sent a letter to FCC Chairman Michael Powell complaining about the FOX Network show.

Last season alone, *Boston Public* contained numerous violations of federal broadcast decency laws including, but not limited to:

- ★ a female candidate for class president having sex with a male opponent in exchange for his support;
- ★ a teacher's prolonged sexual affair with another student; and
- ★ a student who works as a stripper.

"It is our view that shows like *Boston Public* and its ilk do not belong

in prime time when any child in America can see them," reads the February 5 letter. *Boston Public* airs at 8:00 p.m. during what has long been known as the Family Hour.

But *Boston Public* is just one of many shocking TV programs. *Buffy the Vampire Slayer* has taken a turn for the worse on its new network, UPN. *Buffy* now promotes lesbianism and multiple-partner sex. Last fall, ABC ignited a storm of controversy when it aired *The Victoria's Secret Fashion Show*, featuring a parade of barely clad lingerie models. NBC played off a similar theme on Super Bowl Sunday with its Playboy Playmate edition of *Fear Factor*. Even shows not generally aimed at pushing the envelope, such as ABC's *My Wife and Kids*, have increased their anti-family content, with adult-oriented themes and language.

Coalition members include such



Tara and Willow are Wiccan witches and lesbian lovers on UPN's *Buffy the Vampire Slayer*.

would not be illegal," North added.

Where's the Conduct Code?

The growing pro-family effort against broadcast indecency echoes public comments by FCC Commissioner Michael Copps.

"When it comes to the broadcast media, the FCC has a statutory obligation to protect children from obscene, indecent or profane programming," Copps told the U.S. Conference of Catholic Bishops on January 9. "I take this responsibility with the utmost seriousness."

In a February 4 editorial, Copps gave broadcasters until Easter to begin the process of renewing the broadcasting Code of Conduct. Broadcasters abandoned that code in 1983 after antitrust rulings struck down narrow passages dealing with advertising restrictions.

"For years, the broadcast industry practiced responsible citizenship using a voluntary code of conduct. The code clamped effective restrictions on the presentation of sexual material, violence, liquor and drug use, even on excessive advertising. The code also affirmed broadcaster responsibilities

toward children, community issues and public affairs," Copps said.

"It didn't always work perfectly, but it was a serious effort based on the idea that we can be well-entertained at levels several cuts above the lowest common denominator that now dictates so much programming," he added.

To date, only the Walt Disney Company has responded to the call for

broadcaster self-regulation. Disney, which owns ABC, says it is keeping tapes of all programming aired on its stations for 60 days after broadcast. Copps is urging all broadcasters to do the same because the FCC has required complaining citizens to provide a tape or transcript of the offending program—a difficult task for someone caught unaware by offensive programming.

A Shirked Mandate

CWA's Culture and Family Institute, signatory to the coalition letter, has researched the history and standing of broadcast decency laws. In its report *FCC: A Failure of Enforcement*, a wealth of evidence shows how the FCC has shirked its mandate.

In *FCC v. Pacifica Foundation*, the U.S. Supreme Court upheld the FCC's authority to ban the broadcast of indecent material, and identified "perverted sexual acts" as an example. That same opinion defined as "indecent" the "patently offensive" terms for sexual or excretory activities and organs.

The statute that gives the FCC this


authority, enacted by Congress, states: "Whoever utters any obscene, indecent, or profane language by means of radio communication shall be fined not more than \$10,000 or imprisoned not more than two years, or both."

So the FCC has the clout, but not the will to use it. The FCC rarely imposes fines. The Culture and Family Institute report also found no record of any imprisonments.

The letter sent to Chairman Powell about *Boston Public* is a step toward holding the FCC accountable. If supporters of the pro-family groups that signed onto this letter remain vocal and active, the coalition could provide Commissioner Copps the necessary public backing for his ideas. That backing may even be strong enough to get the attention of Congress. And as Copps points out, this is attention that broadcasters don't want.

"The industry's power brokers would be well-advised to heed these calls now lest continued intransigence reaps them more drastic remedies in the future," Copps wrote. "The industry can fix the problem voluntarily. If it won't, government may have to halt the race to the bottom."

That would mean that shows like

Boston Public might just have to clean up their act or go down the public sewer—where they now belong. 

Martha Kleder, a veteran broadcast journalist, is a policy analyst at the Culture and Family Institute (CFI), an affiliate of Concerned Women for America.

To learn more about the Federal Communications Commission, read CFI's in-depth paper, *FCC: A Failure of Enforcement*, by Martha Kleder, at <http://cultureandfamily.org/fcc>, or call 1-800-323-2200 to request your free copy.

HOW YOU CAN HELP

- PRAY** that FCC Chairman Michael Powell will actively enforce broadcast indecency standards.
- PRAISE** God for FCC Commissioner Michael Copps, who is using his influence to protect the public from indecent programming.
- ACT** Using the phone numbers listed below, urge your public officials to require that the FCC does its job.

TAKE ACTION

Congress oversees the FCC. Ask your representative and senators to raise the issue of broadcast indecency and demand that the FCC do its job.

Call the Capitol Hill switchboard at: 202-224-3121.

FCC Chairman Michael Powell also answers to President Bush. Ask the president to make pollution of the

public's airwaves a higher priority. The White House can persuade Chairman Powell to enforce broadcast indecency.

Call the White House at: 202-456-1414.

You can also voice your concerns directly to the FCC Commissioners: 1-888-CALL-FCC (225-5322), or online at www.fcc.gov.