Predator Panic: A Closer Look

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"Protect the children." Over the years that mantra has been applied to countless real and perceived threats. America has scrambled to protect its children from a wide variety of dangers including school shooters, cyberbullying, violent video games, snipers, Satanic Ritual Abuse, pornography, the Internet, and drugs.

Hundreds of millions of taxpayer dollars have been spent protecting children from one threat or other, often with little concern for how expensive or effective the remedies are—or how serious the threat actually is in the first place. So it is with America's latest panic: sexual predators.

According to lawmakers and near-daily news reports, sexual predators lurk everywhere: in parks, at schools, in the malls—even in children's bedrooms, through the Internet. A few rare (but high-profile) incidents have spawned an unprecedented deluge of new laws enacted in response to the public's fear. Every state has notification laws to alert communities about former sex offenders. Many states have banned sex offenders from living in certain areas, and are tracking them using satellite technology. Other states have gone even further; state emergency leaders in Florida and Texas, for example, are developing plans to route convicted sex offenders away from public emergency shelters during hurricanes. "We don't want them in the same shelters as others," said Texas Homeland Security Director Steve McCraw. (How exactly thousands of desperate and homeless storm victims are to be identified, screened, and routed in an emergency is unclear.)

Benjamin Radford wrote about Megan's Laws and lawmaking in response to moral panics in Media Mythmakers: How Journalists, Activists, and Advertisers Mislead Us.

An Epidemic?

To many people, sex offenders pose a serious and growing threat—especially on the Internet. Attorney General Alberto Gonzales has made them a top priority this year, launching raids and arrest sweeps. According to Senate Majority Leader Bill Frist, "the danger to teens is high." On the April 18, 2005, CBS Evening News broadcast, correspondent Jim Acosta reported that "when a child is missing, chances are good it was a convicted sex offender." (Acosta is incorrect: If a child goes missing, a convicted sex offender is among the least likely explanations, far behind runaways, family abductions, and the child being lost or injured.) On his NBC series "To Catch a Predator," Dateline reporter Chris Hansen claimed that "the scope of the problem is immense," and "seems to be getting worse." Hansen claimed that Web predators are "a national epidemic," while Alberto Gonzales stated that there are 50,000 potential child predators online.

Sex offenders are clearly a real threat, and commit horrific crimes. Those who prey on children are dangerous, but how common are they? How great is the danger? After all, there are many dangers in the world—from lightning to Mad Cow Disease to school shootings—that are genuine but very remote. Let's examine some widely repeated claims about the threat posed by sex offenders.

One in Five?

According to a May 3, 2006, ABC News report, "One in five children is now approached by online predators." This alarming statistic is commonly cited in news stories about prevalence of Internet predators, but the factoid is simply wrong. The "one in five statistic" can be traced back to a 2001 Department of Justice study issued by the National Center for Missing and Exploited Children ("The Youth Internet Safety Survey") that asked 1,501 American teens between 10 and 17 about their online experiences. Anyone bothering to actually read the report will find a very different picture. Among the study's conclusions: "Almost one in five (19 percent) . . . received an unwanted sexual solicitation in the past year." (A "sexual solicitation" is defined as a "request to engage in sexual activities or sexual talk or give personal sexual information that were unwanted or, whether wanted or not, made by an adult." Using this definition, one teen asking another teen if her or she is a virgin—or got lucky with a recent date—could be considered "sexual solicitation.") Not a single one of the reported solicitations led to any actual sexual contact or assault. Furthermore, almost half of the "sexual solicitations" came not from "predators" or adults but from other teens—in many cases the equivalent of teen flirting. When the study examined the type of Internet "solicitation" parents are most concerned about (e.g., someone who asked to meet the teen somewhere, called the teen on the telephone, or sent gifts), the number drops from "one in five" to just 3 percent.

This is a far cry from an epidemic of children being "approached by online predators." As the study noted, "The problem highlighted in this survey is not just adult males trolling for sex. Much of the offending behavior comes from other youth [and] from females." Furthermore, "Most young people seem to know what

to do to deflect these sexual 'come ons.'" The reality is far less grave than the ubiquitous "one in five" statistic suggests.

Recidivism Revisited

Much of the concern over sex offenders stems from the perception that if they have committed one sex offense, they are almost certain to commit more. This is the reason given for why sex offenders (instead of, say, murderers or armed robbers) should be monitored and separated from the public once released from prison. While it's true that serial sex offenders (like serial killers) are by definition likely to strike again, the reality is that very few sex offenders commit further sex crimes.

The high recidivism rate among sex offenders is repeated so often that it is accepted as truth, but in fact recent studies show that the recidivism rates for sex offenses is not unusually high. According to a U.S. Bureau of Justice Statistics study ("Recidivism of Sex Offenders Released from Prison in 1994"), just five percent of sex offenders followed for three years after their release from prison in 1994 were arrested for another sex crime. A study released in 2003 by the Bureau of Justice Statistics found that within three years, 3.3 percent of the released child molesters were arrested again for committing another sex crime against a child. Three to five percent is hardly a high repeat offender rate.

In the largest and most comprehensive study ever done of prison recidivism, the Justice Department found that sex offenders were in fact less likely to reoffend than other criminals. The 2003 study of nearly 10,000 men convicted of rape, sexual assault, and child molestation found that sex offenders had a re-arrest rate 25 percent lower than for all other criminals. Part of the reason is that serial sex offenders—those who pose the greatest threat—rarely get released from prison, and the ones who do are unlikely to re-offend. If released sex offenders are in fact no more likely to re-offend than murderers or armed robbers, there seems little justification for the public's fear and the monitoring laws targeting them. (Studies also suggest that sex offenders living near schools or playgrounds are no more likely to commit a sex crime than those living elsewhere.)

While the abduction, rape, and killing of children by strangers is very, very rare, such incidents receive a lot of media coverage, leading the public to overestimate how common these cases are. (See John Ruscio's article "Risky Business: Vividness, Availability, and the Media Paradox" in the March/April 2000 SKEPTICAL INQUIRER.)

Why the Hysteria?

There are several reasons for the hysteria and fear surrounding sexual predators. The predator panic is largely fueled by the news media. News stories emphasize the dangers of Internet predators, convicted sex offenders, pedophiles, and child abductions. The Today Show, for example, ran a series of misleading and poorly designed hidden camera "tests" to see if strangers would help a child being abducted.[1] Dateline NBC teamed up with a group called Perverted Justice to lure potential online predators to a house with hidden cameras. The program's ratings were so high that it spawned six follow-up "To Catch a Predator" specials. While the many men captured on film supposedly showing up to meet teens for sex is disturbing, questions have been raised about Perverted Justice's methods and accuracy. (For example, the predators are often found in unmoderated chatrooms frequented by those looking for casual sex—hardly places where most children spend their time.) Nor is it surprising that out of over a hundred million Internet users, a fraction of a percentage might be caught in such a sting.

Because there is little hard data on how widespread the problem of Internet predators is, journalists often resort to sensationalism, cobbling a few anecdotes and interviews together into a trend while glossing over data suggesting that the problem may not be as widespread as they claim. But good journalism requires that personal stories—no matter how emotional and compelling—must be balanced with facts and context. Much of the news coverage about sexual predation is not so much wrong as incomplete, lacking perspective.

Moral Panics

The news media's tendency toward alarmism only partly explains the concern. America is in the grip of a moral panic over sexual predators, and has been for many months. A moral panic is a sociological term describing a social reaction to a false or exaggerated threat to social values by moral deviants. (For more on moral panics, see Ehrich Goode and Nachman Ben-Yehuda's 1994 book Moral Panics: The Social Construction of Deviance.)

In a discussion of moral panics, sociologist Robert Bartholomew points out that a defining characteristic of the panics is that the "concern about the threat posed by moral deviants and their numerical abundance is far greater than can be objectively verified, despite unsubstantiated claims to the contrary." Furthermore, according to Goode and Ben-Yehuda, during a moral panic "most of the figures cited by moral panic 'claims-makers' are wildly exaggerated."

Indeed, we see exactly this trend in the panic over sexual predators. News stories invariably exaggerate the true extent of sexual predation on the Internet; the magnitude of the danger to children, and the likelihood that sexual predators will strike. (As it turns out, Attorney General Gonzales had taken his 50,000 Web predator statistic not from any government study or report, but from NBC's Dateline TV show. Dateline, in turn, had broadcast the number several times without checking its accuracy. In an interview on NPR's On the Media program, Hansen admitted that he had no source for the statistic, and stated that "It was attributed to, you know, law enforcement, as an estimate, and it was talked about as sort of an extrapolated num-

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ber.") According to Wall Street Journal writer Carl Bialik, journalists "often will use dubious numbers to advance that goal [of protecting children] . . . one of the reasons that this is allowed to happen is that there isn't really a natural critic. . . . Nobody really wants to go on the record saying, 'It turns out this really isn't a big problem.'"

Panicky Laws

Besides needlessly scaring children and the public, there is a danger to this quasi-fabricated, scare-of-the-week reportage: misleading news stories influence lawmakers, who in turn react with genuine (and voter-friendly) moral outrage. Because nearly any measure intended (or claimed) to protect children will be popular and largely unopposed, politicians trip over themselves in the rush to endorse new laws that "protect the children."

Politicians, child advocates, and journalists denounce current sex offender laws as ineffective and flawed, yet are rarely able to articulate exactly why new laws are needed. Instead, they cite each news story about a kidnapped child or Web predator as proof that more laws are needed, as if sex crimes would cease if only the penalties were harsher, or enough people were monitored. Yet the fact that rare crimes continue to be committed does not necessarily imply that current laws against those crimes are inadequate. By that standard, any law is ineffective if someone violates that law. We don't assume that existing laws against murder are ineffective simply because murders continue to be committed.

In July 2006, teen abduction victim Elizabeth Smart and child advocate John Walsh (whose murdered son Adam spawned America's Most Wanted) were instrumental in helping pass the most extensive national sex offender bill in history. According to Senator Orrin Hatch (R-Utah), the bill's sponsor, Smart's 2002 "abduction by a convicted sex offender" might have been prevented had his bill been law. "I don't want to see others go through what I had to go through," said Smart. "This bill should go through without a thought." Yet bills passed without thought rarely make good laws. In fact, a closer look at the cases of Elizabeth Smart and Adam Walsh demonstrate why sex offender registries do not protect children. Like most people who abduct children, Smart's kidnapper, Brian David Mitchell, was not a convicted sex offender. Nor was Adam Walsh abducted by a sex offender. Apparently unable to find a vocal advocate for a chi ld who had actually been abducted by a convicted sex offender, Hatch used Smart and Walsh to promote an agenda that had nothing to do with the circumstances of their abductions. The two high-profile abductions (neither by sex offenders) were somehow claimed to demonstrate the urgent need for tighter restrictions on sex offenders. Hatch's bill, signed by President Bush on July 27, will likely have little effect in protecting America's children.

The last high-profile government effort to prevent Internet predation occurred in December 2002, when President Bush signed the Dot-Kids Implementation and Efficiency Act into law, creating a special safe Internet "neighborhood" for children. Elliot Noss, president of Internet address registrar Tucows Inc., correctly predicted that the domain had "absolutely zero" chance of being effective. The ".kids.us" domain is now a largely ignored Internet footnote that has done little or nothing to protect children.

Tragic Misdirection

The issue is not whether children need to be protected; of course they do. The issues are whether the danger to them is great, and whether the measures proposed will ensure their safety. While some efforts—such as longer sentences for repeat offenders—are well-reasoned and likely to be effective, those focused on separating sex offenders from the public are of little value because they are based on a faulty premise. Simply knowing where a released sex offender lives—or is at any given moment—does not ensure that he or she won't be near potential victims. Since relatively few sexual assaults are committed by released sex offenders, the concern over the danger is wildly disproportionate to the real threat. Efforts to protect children are well-intentioned, but legislation should be based on facts and reasoned argument instead of fear in the midst of a national moral panic.

The tragic irony is that the panic over sex offenders distracts the public from the real danger, a far greater threat to children than sexual predators: parental abuse and neglect. The vast majority of crimes against children are committed not by released sex offenders but instead by the victim's own family, church clergy, and family friends. According to a 2003 report by the Department of Human Services, hundreds of thousands of children are abused and neglected each year by their parents and caregivers, and more than 1,500 American children died from that abuse in 2003—most of the victims under four years old. That is more than four children killed per day—not by convicted sexual offenders or Internet predators, but by those entrusted to care for them. According to the National Center for Missing and Exploited Children, "danger to children is greater from someone they or their family knows than from a stranger."

If journalists, child advocates, and lawmakers are serious about wanting to protect children, they should turn from the burning matchbook in front of them to face the blazing forest fire behind them. The resources allocated to tracking ex-felons who are unlikely to re-offend could be much more effectively spent on preventing child abuse in the home and hiring more social workers.

Eventually this predator panic will subside and some new threat will take its place. Expensive, ineffective, and unworkable laws will be left in its wake when the panic passes. And no one is protecting America from that.

Note

1. For more on this, see my article "Stranger Danger: 'Shocking' TV Test Flawed" at www.mediamythmakers.com/cgi-bin/mediamyth