



Father Steven E. Boes
National Executive Director

May 29, 2013

Submitted Electronically

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

**Re: Public Notice on Adopting Egregious Cases Policy
GN Docket No. 13-86**

Dear Sir or Madam:

On behalf of Father Flanagan's Boys' Home (commonly referred to as Boys Town), we respectfully submit the following comments on the Public Notice on adopting an "egregious cases" broadcast indecency policy. GN Docket No. 13-86 (April 1, 2013).

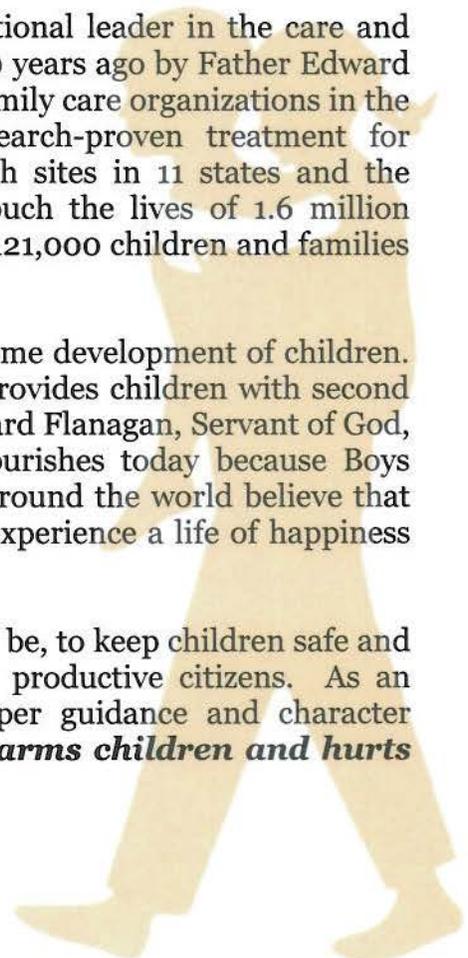
Father Flanagan's Boys' Home has been a national leader in the care and treatment of children since its founding more than 90 years ago by Father Edward Flanagan. As one of the largest nonprofit child and family care organizations in the country, Boys Town provides compassionate, research-proven treatment for behavioral, emotional, and physical problems. With sites in 11 states and the District of Columbia, our services and programs touch the lives of 1.6 million people each year. That includes direct care to nearly 121,000 children and families from across the U.S.

Boys Town has always been about the wholesome development of children. We have been known for decades as the place that provides children with second chances in life. The work of our founder, Father Edward Flanagan, Servant of God, – ***saving children and healing families*** – flourishes today because Boys Town and its hundreds of thousands of supporters around the world believe that every child deserves to be valued and loved, and to experience a life of happiness and hope for a bright future.

Our primary purpose has been, and always will be, to keep children safe and free from all harm while helping them grow to be productive citizens. As an organization founded on values that promote proper guidance and character development of children, to support anything that ***harms children and hurts***

National Headquarters Building
14100 Crawford Street
Boys Town Nebraska 68010 | 402 498 1008
www.boystown.org

Saving Children, Healing Families





families would violate everything we stand for and the cause of the children we champion.

Father Flanagan famously said: “There are no bad boys. There is only bad environment, bad training, bad example, bad thinking.” **By adopting an egregious cases broadcast indecency policy, the FCC would needlessly expose children to *bad example* and contribute to the creation of a *bad environment* that *harms* children and *hurts* families.**

1. Profanity in the media may increase teen violence.

Recent research suggests that profanity in the media may increase aggression and violence among teenagers. According to a study published in the well-respected *Pediatrics* Journal and performed by scholars at Brigham Young University, exposure to profanity is associated with acceptance and use of profanity, which in turn, are associated with both physical and relational aggression.¹ The study’s findings “provide continued support for ratings and content warnings regarding profanity use in media.”

An egregious cases broadcast indecency policy facilitates the use of profanity and other indecencies as long as they are not considered “egregious”. The result of this kind of policy is clear: more profanity on network television. More profanity means more exposure, and more exposure means increased aggression and violence among our youth.

Boys Town’s proven effective model of cognitive behavior modification therapy emphasizes the utmost importance of good example in the proper formation of children. Boys Town’s Common Sense Parenting manual states that “clarity comes both from what you say and what you do . . . If you want your kids to disagree calmly, then give them a good example to follow by staying calm . . . if you expect your children to attend church weekly, then attend with them. If you want your kids to read more and do better in school, then turn the TV off and read with them. Many times, actions really do speak louder than words.”²

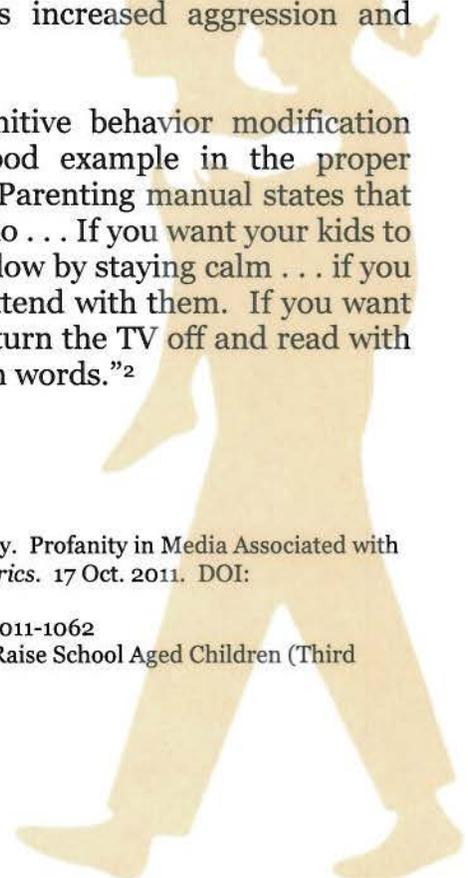
¹ Coyne, Sarah M, Stockdale, Laura A., Nelson, David A., & Fraser, Ashley. Profanity in Media Associated with Attitudes and Behavior Regarding Profanity Use and Aggression. *Pediatrics*. 17 Oct. 2011. DOI: 10.1542/peds.2011-1062. Found at:

<http://pediatrics.aappublications.org/content/early/2011/10/14/peds.2011-1062>

² Common Sense Parenting: Using Your head as Well as Your Heart to Raise School Aged Children (Third Edition; 2006, Boys Town Press), p. 23.

National Headquarters Building
14100 Crawford Street
Boys Town Nebraska 68010 | 402 498 1008
www.boystown.org

Saving Children, Healing Families





Kids need a good example to follow and actions really do speak louder than words. The FCC should put their words into action. According to the FCC, it is a violation of federal law to air obscene programming *at any time*, and to air indecent programming or profane language during certain hours. An egregious cases policy does *not* put those words into action. It allows for much obscene, indecent, and profane language to slip by, if not used excessively, repeatedly, or egregiously. Clarity comes from what you do, and what you say. The FCC should adopt a clear policy that does not treat, e.g., a fleeting expletive or brief nudity with indifference or passivity.

2. The negative effects of media on children's behavior

Children and teenagers spend more time engaged in media than any other activity besides sleeping.³ In fact, by the time a young person reaches age 70, he or she will have spent the aggregate of 7-10 years of their lives in front of the television.⁴ TV is still the predominant media medium and viewing is beginning at earlier ages and for longer periods of time. According to the American Academy of Pediatrics, the latest national report revealed that on average, almost two-thirds of infants younger than 2 years old are watching TV for an hour and a half.⁵

Thousands of scientific studies have shown that significant exposure to media violence, sexualized content, and promotion of drugs, alcohol, and tobacco present health risks for children, increasing “the risk of aggressive behavior in certain children and adolescents, desensitizing them to violence, and makes them believe that the world is “meaner and scarier” place than it is.”⁶

More than three-fourths of all shows on prime-time TV contain sexual content, and overwhelmingly make no mention of the risks and responsibilities of such sexual activity.⁷ Research has shown that all of this exposure to sexual content contributes to early sexual intercourse among teenagers.⁸

³ Id.

⁴ Strasburger, V.C. Risky business: what primary care practitioners need to know about the influence of the media on adolescents, *Prim Care*, 2006; 33(2):317-348.

⁵ Vandewater et al., Digital childhood: electronic media and technology use among infants, toddlers, and preschoolers. *Pediatrics*, 2007; 119(5).

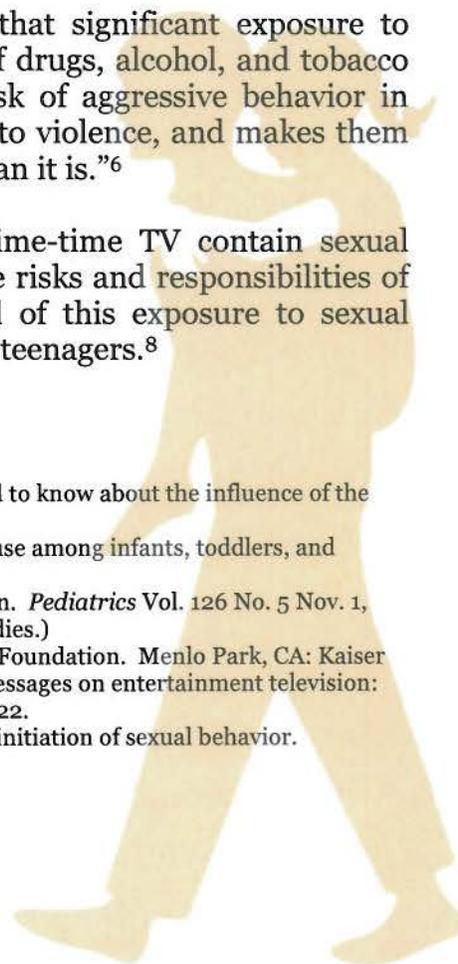
⁶ American Academy of Pediatrics. Policy Statement on Media Education. *Pediatrics* Vol. 126 No. 5 Nov. 1, 2010. Pp. 1012-1017 (doi: 10.1524/peds.2010-1636) (citing multiple studies.)

⁷ See Kunkel, et al., *Sex on TV 4: A Biennial Report to the Kaiser Family Foundation*. Menlo Park, CA: Kaiser Family Foundation 2005. See also Kunkel, et al., Sexual socialization messages on entertainment television: comparing content trends 1997-2002. *Media Psychol.* 2007; 9(3):595-622.

⁸ See, e.g., Collins, et al., Watching sex on television predicts adolescent initiation of sexual behavior. *Pediatrics*, 2004; 114(3).

National Headquarters Building
14100 Crawford Street
Boys Town Nebraska 68010 | 402 498 1008
www.boystown.org

Saving Children, Healing Families





The enormous sums spent on television advertising aimed at children attest to the fact that the things children see on television influence their behavior. It is evident that television's normalization of profanity, sex, drugs, alcohol, tobacco, and violence is harming our children, and may be a major reason for the increase in aggression, violence, drug usage and early sexual activity among youth. The FCC has been charged with the power and responsibility to set indecency standards and enforce them. It should do so with the best interest of children in mind, rather than the desires of network executives or prurient adult viewers.

At Boys Town, we work to help parents provide a safe, nurturing environment for children and encourage them to make their homes a sanctuary free from violence and harm. While we don't expect government to do the parenting for families, we certainly hope and expect that actions of the government won't make parents' jobs even harder by making it difficult, if not virtually impossible, to keep dangerous material away from kids in their own homes. Allowing this change to broadcast indecency standards will, in effect, reduce media choices for families because, even if they are willing to do without cable or pay channels to protect their children from undesirable content, they will still be forced to choose between allowing pernicious material into their homes on network television or eliminating television altogether.

The FCC should assess the full context of allegedly indecent broadcasts rather than limit its regulation to an index of indecent words or pictures. In order to combat the exposure of the next generation to harm, we strongly urge the FCC to reject an egregious cases broadcast indecency policy, and instead treat isolated or "fleeting" expletives (as well as other isolated indecencies) in a manner consistent with the decision in *Pacifica Foundation*—as a potential statutory violation.

Sincerely,

Rev. Steven E. Boes
President and National Executive Director
Father Flanagan's Boys' Home

National Headquarters Building
14100 Crawford Street
Boys Town Nebraska 68010 | 402 498 1008
www.boystown.org

Saving Children, Healing Families

