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Founded 1962

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Marlene H. Dortch, Secretary
Federal Communications Commission
236 Massachusetts Avenue, N.E., Ste 110
Washington, DC 2002

Attention: William H. Davenport, Chief
Chief of Investigations and Hearings Division



**Re: “Remand of Section III.B of the Commission’s March 15, 2006
*Omnibus Order Resolving Numerous Broadcast Television
Indecency Complaints (DA 06-1739)*”**

Dear Mr. Davenport:

I realize that the time for filing public comments in the above captioned proceeding expired on September 21, 2006 and that these comments will not become part of the Official Record.

Introduction

There is a tendency to view swearing or cursing merely as a matter of taste or a lack thereof or as a pointless conflict between puritanical “moralists” and unenlightened “libertines.”

The truth of the matter is that there can be serious repercussions to swearing – for example, getting your mouth washed out with soap, getting disciplined at school, getting your teeth knocked out on the way home from school, losing your job, getting sued, and getting killed.

Admittedly, it is difficult to explain why people get so uptight about four-letter words in general and certain four-letter words in particular. Undoubtedly, it has something to do with the views held by most Americans throughout our nation’s history that God is holy (profanity is therefore unacceptable) and that sex is sacred (obscene language is therefore unacceptable).

But it isn’t just religious Americans who get upset about swearing. A common element in sexual harassment suits is the use of vulgarity in the workplace. Violent confrontations among non-religious combatants are often provoked at least in part by swearing or cursing. The large majority of parents do not want their children using four-letter words, regardless of whether religion is or isn’t an important part of the parents’ lives.

Most of the evidence of harms associated with swearing or cursing set forth above comes from articles that I have clipped from newspapers published or sold in New York City, where I have lived and worked for many years. I see no reason to think that the experience of other large American cities is radically different from that of New York City, which means that what I have set forth above is the tip of the proverbial iceberg.

Children don't need TV to learn how to curse, but...

Let me begin by saying that I know all too well from personal experience that a child does not have to watch TV to learn how to curse. I grew up in the 1950s when television broadcasters had high regard for community standards and when four letter words were not uttered on TV.

My father served during World War II in the Army Air Core; but somehow he learned to curse like a sailor, and at a young age I did too. I still remember the day when my mother pulled me aside to inform me that the pastor of our church had told her that he could hear me cursing in the park where we spent most of our time playing during the summer months. He thought it might help if my mother explained to me what those awful words meant, which she did in a most gracious manner (no soap in the mouth on this occasion). I can still remember genuinely wondering, as I listened to her, how this new knowledge was going to help.

I can also remember the first time that someone (a grade school classmate) gave me the middle finger. I didn't know what it meant at the time, but I knew it wasn't intended as a friendly gesture. I took the first opportunity to give him the finger back – only I got caught and learned that giving the finger was not acceptable behavior for young children, especially in school.

As I got older, I would on occasion use four-letter words when I was angry and ready to get into a fight. These words aren't called "fighting words" for nothing.

I also remember a football coach informing me that my frequent use of four-letter words was an indication of my ignorance or lack of intelligence (I don't remember which). At the time I didn't appreciate him for saying that, but I later concluded there was truth in what he said. One reason my vocabulary is somewhat limited today is because I cursed so often when growing up.

But the fact that children can learn to curse without being exposed to cursing on TV doesn't mean that children don't learn to curse from watching TV. Common sense ought to inform us that children learn both from real life experiences and from watching and listening to media.

According to a poll conducted by the Pew Research Center for People & the Press (News Release, 4/19/05), 69% of parents are concerned that their children see "adult language" on TV, and 67% of parents think "TV gives teens wrong ideas about what's acceptable."

In 1993, more than 500 readers responded to a N.Y. *Daily News* survey on TV violence. In response to the question, "Do you think language on prime time shows is damaging to your children," 69.6% said yes. In response to the question, "Have you ever noticed your children's language change after they have watched a show," 54.8% said yes.

Impact of cursing and swearing on adults

Swearing or cursing is contributing to an erosion of office etiquette.

In her column, "Oh, Behave! A guide to modern office etiquette" (*Newsday*, 8/10/00), Alev Aktar reports that "New Yorkers are notorious for their rudeness...But while the city once reserved its attitude for tourists, unpleasantness has now spread to the workplace. There's a bad-

behavior boom, and foul language, boorish antics and indiscretions have become acceptable during business hours...Ann Humphries, the extremely well-mannered president of Eticon, Inc., an etiquette consultancy for businesses...agrees that some standards needed to be relaxed...‘However, some of what’s going on is just coarse,’ she continues. ‘I do seminars all over the country, and profanity is one of the top rude behaviors’...‘The worst type of language is sexist or derogatory,’ says Gloria Petersen, president of Global Protocol, a training seminar based in Chicago. ‘It can be demeaning from a gender, cultural or religious perspective. TV has given permission to use bad words, and young people grow up and think that’s correct behavior.’ For Peterson, the most un-civil age group is under-35s. She blames their discourteousness on a lack of training from parents and relatives and bad influences such as TV and movies...”

Swearing or cursing is often an element in sexual harassment cases.

On October 23, 2006, a federal jury in Manhattan ordered *Source* magazine “and its foulmouthed founders” to pay its female editor \$15.5 million for firing her after she charged them with sexual discrimination (Leonard Greene, “Rap Sourceress Gets \$15M,” *N.Y. Post*, 10/24/06). According to the article, the “most damning evidence proved to be a voice-mail tape of [one co-owner] cursing a female reporter from another hip-hop publication.”

“The number of school employees busted for sexually harassing students skyrocketed 50% last year, the *Daily News* has learned. The vulgar comments ranged from the merely disgusting—to the vilely unprintable...‘You’ve a nice ---,’ another employee told a student.” Kathleen Lucadamo, “Surge in sex-harass cases in school,” *N.Y. Daily News*, 8/3/04.

The New York City Council has adopted a “zero tolerance” policy for sexual harassment, which encompasses “conduct that creates a hostile work environment, such as vulgar language” (Christine Quinn, “The Council has strict rules on sex,” *Daily News*, 12/29/04).

See also, Dan Mangan, “‘Sex’ Exchange’s \$32M Slap,” *N.Y. Post*, 4/21/06)(“The New York Stock Exchange was slammed with a \$32 million sexual harassment lawsuit by two cleaning women...After the women complained about his constant lewd comments...”); Katie Cornell Smith, “Chicken shop on griddle,” *N.Y. Daily News*, 11/29/04 (“A famed Latin American chicken chain hailed by Mayor Bloomberg for creating new jobs when it opened two locations in the city this year has been hit with a class-action lawsuit claiming female workers are treated like ‘sex slaves’...Those who refuse the manager’s advances are called vulgar names...”)

Swearing or cursing is prohibited on Wall Street and in other businesses.

See, e.g., Edward R. Silverman, “Walk on the Vile Side,” *Newsday*, 5/25/93)(“the National Association of Securities Dealers censured Maschler and other Datek traders for using ‘extreme profanity’ and language that was ‘sexually denigrating,’ highly abusive’ and ‘gross, vile and disgusting.”); and Michael Siconolfi and Jonathan Auerbach, “Trading Obscenities: Brokers Are Told To Curb Gutter Talk: NASD’s Warning on Cursing...,” *Wall Street Journal*, 9/19/96.

According to an article by Pamela Druckerman (“Bloomberg Demands Expletives Deleted – Traders Say: \$!@&...,” *Wall Street Journal*, 6/28/99), a company founded and owned by New York City Mayor Michael Bloomberg took a stand against expletives.

And it isn't just New York City. According to an article by Pui-Wing Tam, et al., ("Snooping E-Mail by Software Is Now a Workplace Norm," *Wall Street Journal*, 3/9/05), in a survey of 840 U.S. companies, "60% said they now use some type of software to monitor their employees' incoming and outgoing email." The article noted that "the software would typically check e-mail messages against a list of keywords, such as profanity."

Swearing or cursing can get New York City police officers in trouble.

According to an article by Martin Mbugua ("Yo, cop – watch your @#% language," *Daily News*, 12/3/02), the Civilian Complaint Review Board said it had "substantiated more incidents of police using foul language or abusive language than any other complaint during an 18 month study." In an article, "Complaints soar vs. cussing cops" (*N.Y. Post*, 8/24/03), Sam Smith reported that New York's Finest were "accused of using an increased amount of offensive language in the last year, according to findings by the Civilian Complaint Review Board."

In an article, "MTA hires 'Rhino' to stomp civil ire" (*Daily News*, 10/5/05), Pete Donohue reported that the New York Metropolitan Transit Authority has "a plan to add a little polish to its police force: hiring a 'verbal judo' teacher." The goal is to "help cops use language to get cooperation...in a bid to stop confrontations from turning violent." George Thompson, the instructor, says, "It's all about how to operate in the special forces of words, how to be elite... You don't lose your temper, you don't swear at people..."

Swearing or cursing can even get a professional poker player in trouble.

As reported by David Leon Moore ("America grabs a chair at poker's biggest table," USA TODAY, 7/7/05), "It is after 2 a.m. in the giant poker room at the Rio hotel and casino. Two tired players are left at the final table of a big money event, nerves fraying, the tension thickening, the crowd growing. Then 25-year-old card shark Rafi Amit, closing in on the kill, utters a crude expletive and all hell breaks loose. At the World Series of Poker, the world's biggest and most prestigious poker tournament, the penalty for that obscenity is 10 minutes away from the table, and tournament official Jack Effel immediately tells Amit to leave."

Swearing or cursing can prevent a person from being promoted at work.

In her column, "To Win Advancement, You Need to Clean Up Any Bad Speech Habits" (*Wall Street Journal*, 10/5/04), Joann S. Lubin reports that General Electric hesitated to elevate a plant manager to a higher-paid corporate spot because "'every other word he said in the plant was the f-word." GE "warned that he wouldn't get his promotion unless he cleaned up his foul mouth."

Swearing or cursing can even break up a marriage.

In her column, "Tips From the Domestic Trenches: How Long-Married Couples Make It Work" (*Wall Street Journal*, 8/20/02), Tara Parker-Pope reports:

"Paul Rinderle of Fairfax, Va., thinks couples should focus on eliminating expletives from their conversations. 'I contend that swearing in general has lowered our language skills and is the rotting of virtually all meaningful relationships,' says Mr. Rinderle, who

was married for 28 years before his 1987 divorce. ‘To this day I often reflect that swearing was the beginning and perpetual fuel of my marriage decline.’”

Swearing or cursing can lead to violence.

In his article, “Rap pack on attack” (*N.Y. Post*, 6/5/03), Dan Aquilante reports that there was “lots of talk of peace, love and brotherhood” at radio station Hot 97’s 10th annual Summer Jam concert – until the rapper 50 Cent was “allowed to project images of Ja Rule and Irv Gotti on video screens labeling them an unprintable epithet, adding, ‘They ain’t hip-hop.’ You don’t have to be a rapper to know these are fighting words. Maybe that’s why 50, his 3-year old son and his 50-man entourage all wore bulletproof vests on stage.”

Impact on children while at school

Swearing or cursing disrupts school order.

“Reprimands didn’t work. Neither did detentions or suspensions...In November, [educators and police officials] authorized police officers assigned to two of the city’s public high schools to begin issuing tickets to students who hurl expletives. The fine: \$103. The officers have issued about 60 tickets to students...There are already signs that the new approach may be working, some teachers and principals say. Fights have decreased, classrooms are calmer, and there is less cursing in the corridors...” Abigail Sullivan Moore, “Say #!% and Pay \$\$\$, Hartford Tells High School Students,” *N.Y. Times*, 12/14/05.

“A young girl sits bleeding and hysterical in the school nurse’s office after getting punched in the face by another kid...Students curse at each other and cut classes to wander in trash-strewn halls beneath falling down ceilings. These are scenes from some of the city’s most troubled middle schools – all in Brooklyn...IS 91 ‘is one of the saddest schools we’ve ever seen,’ wrote Insideschools staffer Vanessa Witenko after a visit last spring...‘The day of our visit, students cursed each other and belittled adults and one another,’ she wrote...” Elizabeth Hays, “‘Saddest’ schools,” *N.Y. Daily News*, 9/4/05.

“Teacher Lori Thomas has taken a strong stand for common sense...The Rochester elementary school teacher took matters into her own hands in March when one of her students hurled what Thomas called ‘a vile, very nasty sexual reference at a girl in her inner-city third grade classroom.’ According to Thomas, the boy had received numerous one-week suspensions for his past bad behavior. All to no avail...She escorted the 10-year-old to the nurse’s office and washed his foul mouth out with soap. ‘Old fashioned ways work,’ she said. But for that brave act...Thomas has paid a price...” Richard Schwartz, “A teacher stands tall,” *N.Y. Daily News*, 6/15/04.

“Sarah was stunned when her then 4-year-old daughter, Abby, started swearing like Richard Pryor. The mischievous moppet was chanting an off-color expression. Turns out Abby wasn’t the only underage fan of the phrase. Her entire preschool class had picked it up. ‘One boy learned it last year and it went around,’ remembers Sarah, a 35 year-old teacher who lives in the upper West Side. Abby (all names have been changed to protect the not-so-innocent children) didn’t know what she was saying, but 5 year-old Breanne certainly does. The kindergartner from

Ridgewood, NJ, calls her older sister an ‘a-----’ and makes an obscene gesture at her...Bad language is an epidemic. And one that’s striking those at the tenderest age. These days, tots are almost as likely to swear as grownups. But while most adults know when to hold their tongues...kids may not. And whether they’re 4 or 14, they risk sounding aggressive, obnoxious, crude and very, very rude...True enough, but why are little one’s mouthing off? One reason is that it’s exciting...Not only is it fun to swear, but most epithets are appealingly multi-purpose and can be inserted into every sentence...Youngsters also trash talk because its so widespread in the media. Whether it’s David Wells hurling an expletive after a bad pitch during the World Series, U2’s Bono shouting the same one at the Golden Globes...indecent phrases are on TV, videos, popular music and print...In fact, a ‘blue tube’ study by the Parents Television Council...showed that foul language during the family hour increased 94.8% between 1998 and 2002...” Alev Aktar, “From the mouths of babes...comes forth a stream of foul language. What’s all the gutter talk?” *N.Y. Daily News*, 5/16/04.

“Too many students are losing critical opportunities for learning—and too many teachers are leaving the profession—because of the behavior of a few persistent trouble makers...Student discipline and behavior problems are pervasive...On the whole, the findings suggest that the schools are doing a good job responding to the most serious behavior problems, like drugs and guns, but they should be doing a lot better job when it comes to minor violations of the rules, such as talking out, horseplay, disrespect and the like...Topping the list of causes of behavior problems in the nation’s school is parents’ failure to teach their children discipline (82% of teachers and 74% of parents). Second on the list is: ‘There is disrespect everywhere in our culture—students absorb it and bring it to school’ (73% and 68%).” Report, “Teaching Interrupted...,” Public Agenda with support from Common Good, May 2004.

“When Linda’s son was just 10, she says he showed her a nasty e-mail written about him that was laced with expletives and sent to his classmates behind his back. She says her son told her...that it had been written by his 10-year-old best friend. The nasty e-mail had been triggered by an argument the two had at school that day. ‘My son was upset by it’...” Julie Janovsky, “When kids turn cyberbullies,” *N.Y. Newsday*, 4/1/04.

“In the near future, you may hear the use of the ‘f’ word on a TV drama, a comedy, or the news, any time of day or night. The Federal Communications Commission has approved the use of the ‘f’ word in television programming as long as its used as ‘an adjective or expletive to emphasize an exclamation, such as an insult.’ ‘Educators are one group that can immediately foresee the incredibly destructive consequences of this ruling,’ says Finn Laursen, Executive Director of Christian Educators Association International. ‘Children are the most impressionable members of society,’ says Laursen. ‘Teachers are already on the front lines of the civility wars, wrestling with that kind of language in the classroom, where it is increasingly found.’ ‘Television is the most powerful teaching mechanism around, because it pictures seeming cultural norms in the sanctity of the family room and bedroom. If graphic gutter slang becomes acceptable on television, there will be no stopping it in public, including classrooms...’” News Release, “The ‘F’ Word Isn’t Teacher Friendly,” Christian Educators Association International, 12/4/03.

“When asked in a Gallup Youth Survey last year about a list of nine circumstances generally considered to have a moral dimension, a firm majority of teens said they would feel guilty about doing every single one of them...‘I’m going to read you a list of circumstances. For each one I

read, please tell me if you would feel guilty or not guilty'... 'Swearing or cursing at a teacher'... Total 75%..." Linda Lyons, "Sex, Lies and Teen Guilt," The Gallup Organization, 12/17/02.

"Picture yourself trying to teach a lesson to students who talk above you the entire time you are trying to teach. Picture assigning homework and six students out of 34 completing it. Picture being cursed at on a weekly basis for asking students to be quiet or to come into the classroom..." Anonymous, "Picture This: A Teacher's Day," *N.Y. Post*, 7/30/01.

"New York public high school teachers are taking it from all sides. They deal with pot-smoking, curse-spewing kids who disrupt their classes and whimpy school administrators who offer no support... Most of the kids I teach... are cooperative and want to learn. But... I've found that there are always two or three bad apples. They're the ones who talk, curse... A few students yell at teachers... This morning, I saw an ex-student in the halls. Whenever I pass this 14-year-old she mutters 'b----' under her breath... I tried calling a student's home today, because of behavioral problems. She is a 15-year old who called me a f----- b---- and tells me I cannot 'f--- tell her what to do.'" Anonymous, "Bell to bell: A day in a teacher's life," *N.Y. Post*, 4/13/00.

"Some folks think salty language adds flavor to the way we communicate... But many others agree with Pamela Boyd, calling it part of the dumbing down of America. 'The "f"-word and the s-word are just huge on the playground,' says Boyd, 52, who teaches fifth and sixth graders in Tumwater, Wash. Recently, she heard a social worker use the s-word on a cable TV news show. And she recalls hearing the word used on a prime-time TV show, CBS' *Chicago Hope*, and treated by reviewers 'as if it were a breakthrough. Movies and TV keep pushing the envelope and calling it progress. It becomes much harder to draw the line in schools...' " Karen S. Peterson, "SAY WHAT? Pervasive profanity has turned self-expression to \$#@*!," *USA TODAY*, 3/21/00.

"With the exploding popularity of professional wrestling, long billed as family entertainment, child development experts are starting to question its impact on a growing force of young fans. Vaudeville's brand of wrasslin' is spilling into back yards, where teens nationwide stage matches mimicking those of the World Wrestling Federation (WWF) and World Championship Wrestling (WCW). It's beginning to topple over into schools, where administrators report students are parroting not only wrestling moves, but the sexual gestures and profanity they see on TV... Educators attest that children emulate TV heroes. Yvonne Allen, principal at Whiteville Elementary in Tennessee, suspended a student who body-slammed a chum... 'I ask a child, "Why did you do that?" And they say, "Well, he saw that on whatever that wrestling show is, that WW thing.'" Allen says. But more often Allen's office is buzzing with students using vulgar gestures they see on wrestling shows. The one causing the most concern, she says, entails pointing to genitalia and making a crude remark." Karen Thomas, "How bad is wrestling for your kids," *USA TODAY*, 2/26/99.

"Today the halls of the nation's schools echo with language that would stand a sailor's hair on end. Teachers and principals say kids are cursing more often than they used to... In a recent poll of high school principals, 89% said they face profane language and provocative insults towards teachers and other students on a regular basis. Educators say that cursing shows students' lack of respect for themselves and others... Bill Carruthers, a ninth grade teacher at Hurst (Texas) Junior

High School, says if he hears students cursing casually in the hallway, he tells them its inappropriate language...Carruthers blames the cursing problem on television. "Students hear the language on television and at the movies, and they get the impression its acceptable anywhere. He also thinks cursing is a sign of laziness..." Nanci Hellmich, "Today's schools cursed by an increase in swearing," USA TODAY, 5/20/97.

"I sat in on a high school math class the other day as two girls tried to figure out what was said during an exchange that had been bleeped out on the *Ricki Lake* show. One of the girls speculated that the missing words concerned oral sex. She used crude language. Her voice carried. Yet no one even blinked. Call it a dispatch from the front lines of children and sex..." Leonard Pitts, Jr., "Sex keeps flooding our culture," *Miami Herald*, 3/20/97.

"Dennis Reed makes me want to cheer and sigh in the same breath. He's the principal in Tampa, FL., who's been hitting the papers with his crusade to clean up the language of his students. He put every obscenity coming from the mouths of babes at Dickenson Elementary on a poster and took it around to parents for the X-rated show and tell...Reed started his campaign last April when foul-mouthed students were being sent to his office in such numbers that neither he nor his faculty could do their jobs..." Susan Trausch, "Wake up, parents! Out of the mouths of babes: @#%\$," *Miami Herald*, 7/26/92.

Swearing or cursing contributes to violence.

"A Brooklyn cheerleader was viciously beaten by classmates who smashed her in the head with a garbage can after heckling her at a high-school pep rally, police said yesterday...Students said the victim shouted down hecklers at the pre-football game performance using foul language that incited the hecklers even more..." Jamie Schram and Patrick Gallahue, "B'klyn pep gal booed, beaten," *N.Y. Post*, 10/27/04.

"A rowdy, obscenity spewing student was busted at [school name omitted] high school yesterday – just as schools chief Joel Klein and his top City Hall police and union officials were privately huddling only two floors below to try to figure out ways to curb violence in the schools...But two floors above them, a defiant 17-year-old ninth-grader refused to go to class and spewed profanity as he clashed with a school safety officer...It took three officers to move the teen to a detention room to calm him down..." Carl Campanile, "In Troubled HS," *N.Y. Post*, 12/16/03.

"*Trend/Watch*, a magazine published by GBE [Gateways to Better Education] cites a March 1999 Zogby International poll in which New York State teachers named profanity as the number one problem in their classrooms, ranking it above disrespect and defiance...In addition, the *Trend/Watch* issue high-lighting 'Cuss-Free Schools' featured an article by Dr. Larry Hensley-Marschand that speaks directly to this issue. Having been in public education since 1972, Hensley-Marschand is principal of Southport High School in Indianapolis. Although profanity has always been against the rules at Southport High, the principal says that he, teachers and administrative staff had noticed a yearly increase in both casual and abusive profanity. Further investigation revealed that 99% of the schools' physical violence incidents (fist fights, pushing, shoving) had begun with verbal conflicts liberally salted with profanities. Hensley-Marschand...says he reasoned, 'if we could eliminate verbal violence and trash talk, we could see a decrease in physical violence.' To tackle this problem, he and his teaching and

administrative staff created a strategy aimed at drastically reducing the use of profanity and other disruptive behaviors in their school...Results were dramatic. From September 1999 through December 1999, there was a 54% decrease in profanity use; a 50% decrease in combative acts and gestures...What's the root cause? The movie, television and music industries are among the biggest culprits...Television is just as bad, if not worse. Between 1989 and 1999, the use of profane language on TV skyrocketed over 500%..." Pat Centner, "Profanity explosion reveals how far we've fallen: Trash talk linked to violence in the schools," *AFA Journal*, Sept. 2001.

"Throughout the country, in almost every sport in every region, officials are reporting increasing instances of verbal abuse, attempted intimidation and even physical assault. One index of trouble is the number of times a referee has to remove a participant from an event... While there are no comparable national statistics, there is a consensus in the officiating community that the erosion of respect for authority already seen by teachers and police officers has reached the playing field...Jim Blackwood, executive director of the 9,000-member Southwest Officials Association of Texas, says... 'The kids aren't getting any discipline at home, and while we're told that profane language is a cultural thing, it gets confused when you got Howard Stern and those shows on TV where profanity is a common language.'" Robert Lipsyte, "When 'Kill the Ump' Is No Longer a Joke," *N.Y. Times*, 1/19/97.

"Out of the mouth of babes comes Marine-barracks language. Loud and crude, it can be heard in school hallways...American school children have never been more foul-mouthed – or so it seems to many parents and educators who are privy to the trash talk that often passes as childish chatter...Other kids are so inured to cursing that they seem baffled that some find it offensive. One New Jersey teacher laments that her high school students 'haven't even got a concept of obscenity.' But profanity can still be potent, even for those who use it casually. In schools, 'language is the first symptom of conflict—the small stuff escalates,' says Ronald D. Stephens, executive director of the National School Safety Center in Los Angeles. When center officials interviewed 4th-through-12th-graders around the nation during a two year study, students mentioned name calling, cursing or staring...as the most common triggers for violence, he says..." Ellen Graham, "Language of Childhood: No Expletives Deleted," *Wall Street Journal*, 7/17/95.

"In South Florida, school principles say cursing in the classroom is rare. During the 1991-1992 school year, the Dade school system disciplined 9,536 kids for 'provocative language.' During the 1990-91 school year in Broward, the last year for which a count is available, 3171 kids were punished for profanity. But according to school officials, nearly all of them were secondary charges brought against students in fights. They rarely involved a student blurting obscenities in class." John Barry, "A clinical look at cursing finds the habit has changed," *Miami Herald*, 10/1/92.

Swearing or cursing contributes to sexual harassment.

"...Adds [name omitted here], 'Guys come up to me and say right to my face, "Girl, you got some big (ones)"... These young women aren't talking about construction workers on the street, but their classmates at [school name omitted] in Alexandria, VA, where I teach English... One senior girl told me that the most vulgar comments she has heard directed towards girls came from white boys at a small, private Episcopal school she used to attend...Legal considerations

aside, the major question is how schools can help bring about more civil and respectful relationships in a generation of boys and girls who have been constantly exposed to gross-out sitcoms, radio DJs, music lyrics..." Patrick Welsh, "Students find sexual harassment a way of life," USA TODAY, 1/6/99.

"Day after day, 7-year-old [name omitted here] complained to her mother about the teasing, foul language and even lewd behavior of boys on the school bus...[Name omitted] may be the youngest student ever to have a federal sexual harassment complaint filed on her behalf against another student...The school denies any wrongdoing. 'We teach kids from kindergarten on you should not be abusive in your language...', Superintendent Jerry McCoy says. Children, influenced by television and videos, are using saltier language at a younger age than a few years ago, said child psychologist Susan Erbaugh, director of children's services at Minneapolis Children's Medical Center. [Name omitted], a second grader, told of children on her bus using four-letter words...Another time, she said a boy stared at two first-grade girls and made lewd comments about their sex organs..." Associated Press, "Harassment Suit Accuses Boys on School Bus," 10/21/92.

Closing thoughts

When I began writing these comments, it was my intention to focus on evidence showing that swearing adversely impacts children. But as I went through my files looking for articles about children, I was surprised to see how many articles addressed the impact of swearing on adults.

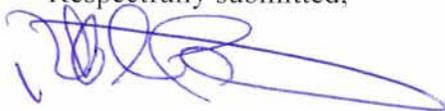
One reason that I decided to include evidence of harm to adults was to make the point that if swearing can result in harm to adults, what do we think it is doing to children? It doesn't take a barrage of four letter words to adversely impact a child. One curse word is more than enough.

While we can't shield children in today's world from all swearing, we should want to minimize their exposure to indecent language in broadcasting and in other media. Parents are clearly the first line of defense, but parents in today's world cannot do the whole job alone.

Clearly the Constitution, as our nation's founding fathers understood the document and as the Supreme Court itself understood it for almost 200 years, was not intended to cripple the power of government to help protect children from obscene or indecent language.

The First Amendment is properly viewed within a framework of *ordered* liberty – not as a license to assault citizens, young and old, with indecent talk and pictures on TV and in other media. Those that wave the "flag" of the First Amendment every time that government attempts to suppress smut are pushing our nation towards moral anarchy.

Respectfully submitted,



Robert Peters
President