



NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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FCC PLANS MAXIMUM FINE AGAINST WDBJ FOR BROADCASTING INDECENT PROGRAMMING MATERIAL DURING EVENING NEWSCAST

Washington, D.C. – The Federal Communications Commission intends to fine WDBJ Television, Inc., Roanoke, Virginia, \$325,000 for broadcasting graphic and sexually explicit material during the station’s evening newscast. The FCC’s Enforcement Bureau investigated viewers’ complaints that WDBJ aired a news report that included graphic sexual images taken from an adult film website in the report. This enforcement action would be the highest fine the Commission has ever taken for a single indecent broadcast on one station.

“Our action here sends a clear signal that there are severe consequences for TV stations that air sexually explicit images when children are likely to be watching,” said Travis LeBlanc, Chief of the FCC’s Enforcement Bureau.

The Enforcement Bureau investigated complaints surrounding a WDBJ news story about a former adult film star who had joined a local volunteer rescue squad. The investigation found that station staff obtained a sexually explicit video clip from an adult film website and broadcast those explicit images in the news report that aired at approximately 6 p.m. on July 12, 2012. The Commission’s enforcement action alleges that the broadcast of such explicit sexual content violated federal laws prohibiting the broadcast of indecent programming. The Commission plans to fine WDBJ \$325,000, the maximum available penalty.

It is a violation of federal law to air indecent programming from 6 a.m. to 10 p.m., when there is reasonable risk that children may be in the audience. The FCC has defined broadcast indecency as “language or material that, in context, depicts or describes, in terms patently offensive as measured by contemporary community standards for the broadcast medium, sexual or excretory organs or activities.” For more information on the FCC’s policies on indecent programming, visit <http://www.fcc.gov/guides/obscenity-indecency-and-profanity>.

This is the third action the Enforcement Bureau has taken regarding the broadcast of indecent material since January 2014. In April 2014, the Enforcement Bureau settled its investigation into allegations of the broadcast of vulgar language on radio station KRXA(AM), which resulted in a payment of \$15,000. In August 2014, Border Media Business Trust paid \$37,500 in penalties to settle an investigation into the use of indecent sexual language during a morning show on radio station KDBR(FM).

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https://apps.fcc.gov/edocs_public/attachmatch/FCC-15-32A1.pdf