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TELEVISION NETWORKS: TAKING AFFIRMATIVE ACTION

*Beth Bressan**

I would like to provide an industry perspective, to try to put the debate into context and to also give you an idea of how the television industry is responding to the violence issue.

Let me say at the outset that each one of the television networks (although I work for CBS, I will discuss all of the networks generally) air between five and six thousand hours of programming each year. Those who have sports air more. Those, like us, who do not have sports anymore, air a little bit less. In any event, you will see news. You will see sports. You will see public affairs. You will see entertainment, soap operas, game shows, and late night talk shows. You will see cartoons. You will see a whole menu—a varied menu—of programming only the most minute fraction of which could be, by any definition, considered to contain violence.¹

Yet we currently have this uproar in society in which we repeatedly hear about the proliferation of violence on television. It is, I think, more attributable to tonnage, if you will, than anything else because the industry is blamed for anything that comes into your home on the television set. The networks, which used to have one hundred percent share of the television viewing audience, then a ninety-eight percent share, which then fell to a seventy, now have approximately a fifty-one to fifty-five, or, on a good night, sixty-two percent share of the audience.² Thus, the networks are responsible for

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1. One of the problems with analyzing the issue of violence on television is in defining violence. There does not appear to be one uniform accepted definition. For a sample of various attempts at defining violence, see H.R. 2837, 103d Cong., 2d Sess. (1993) (defining violence as "any action that has as an element the use or threatened use of physical force against the person of another, or against one's self, with intent to cause bodily harm"); George Gerbner & Larry Gross, *Living With Television: The Violence Profile*, 26 J. COMM. 173, 184 (1976) (defining violence as "the overt expression of physical force against one's self or other, compelling action against one's will or pain of being hurt or killed, or actually hurting or killing").

2. Anthony Baldo, *Vanishing Viewers: Here's a Paradox. As audiences shrink, ad*

a much smaller portion of what you see. I could not begin to guess at what you will see when we have five hundred viewing choices. When people talk in terms of the amount of the violence on television, it is not because the networks are carrying more. In fact, we are carrying substantially less.³ There is so much on television, however—so many viewing choices—that now when you flip the dial, you can see depictions of violence at any hour of the day or night.

Action-oriented programs used to comprise about twenty-eight percent of the network schedule. You remember them. Programs like *The A-Team*, showing cars being blown up left and right. On *Magnum P.I.*, more cars were being blown up. All of these shows were very, very popular, including *Miami Vice*. They had a real niche in our programming.

The most recent schedules put out by the networks have maybe eight percent of action-oriented programming in prime time. So I must admit that I am not quite sure that I understand exactly what the uproar is. One of the departments I oversee at CBS is called "audience services." We receive over six hundred thousand cards and letters a year from television viewers. Every year we analyze them, and find that two-thirds of them are complaints. The remaining third are comments such as, "I liked your programming" or "please bring some particular program back." Of the two-thirds which were complaints in any given year—we tracked it for the last ten years—only one hundred to two hundred of them were ever complaints about too much violence or the way in which we depicted violence.

So when this great debate started about three or four years ago, I was not sure I understood it. Of course, we all learned that Senator Paul Simon was concerned about something he saw on television,⁴ it was *The Texas Chainsaw Massacre*, we think, although four years later, we are still not exactly sure what it was. He was traveling and he turned on the television and this movie came on. None of the broadcast networks would have aired that movie because their staff, like my staff, would have reviewed the movie before we acquired the rights to it. There is no amount of editing that can cope with that problem. We cannot purchase it. We cannot air it. That would have

prices rise, FINANCIAL WORLD, Aug. 7, 1990, at 26.

3. Ed Martin, 'Love and War' at violence hearings; the networks, meanwhile, at their most tame in years, INSIDE MEDIA, Nov. 3, 1993, at 31.

4. Carl M. Cannon, *Honey, I warped the kids; television violence and children*, MOTHER JONES, July 1993, at 16.

been the end of it.

I must take you back a number of years to when I was a law student. I represented indigent juveniles in downtown Newark, New Jersey. I represented kids who were accused of robbery, two fifteen year olds who were accused of murder because they walked across the street, saw a drunk, picked up a rock and a brick and for no reason, decided to bash his brains in.

I talked with a lot of these kids and I will tell you what I learned. I learned that they were there because guns and weapons were easy to acquire, their parents did not care about them, school systems ignored and neglected them, the criminal justice system did not work, and there were drugs to be had very easily. Even in those days weapons were twenty five dollars on the street corner. There was poverty, there was greed, and there was no moral, ethical or religious training. I can probably name five or six or ten other reasons for violence in society before you even get to television. You certainly did not blame the violence on television in conversation; it was never articulated. Perhaps, back then, television was an influence on these kids.

So now, as a mother of an eight year old, I really sometimes wonder what the debate is all about because I believe—I have no studies to back this up—but I believe with all my heart that you can take off all of the programming on television, you can put on the lifestyle of the butterfly on all of the fifty stations that are now available, and it is not going to keep my son any safer in his school room or any safer on the streets of New York.

Nevertheless, nobody is arguing about causal relationships. Nobody is going to argue about the research anymore. We in the television industry have acknowledged that we have an influence. We have an impact. We have not said we are blameless in this. So what have we done? What has been the response of the industry?

Well, the broadcast networks, thirty or forty years ago, established “program practices” or “broadcast standards” departments, like the one I run. We review content, specifically to look at sexuality, profanity, and the depiction of violence. We look to see if there is negative stereotyping. We look to all sorts of concerns.

When I was growing up, I used to watch a show called *Topper*, in which it was very chic to have a martini-toting St. Bernard, and to smoke cigarettes from a cigarette holder. That was what I emulated. You would never see that on television today because my department is the one who has to look at all the material like this. So, the net-

works have a long history and tradition of reviewing programs, which is not true of cable and a lot of other outlets that you see on television.

We heard Congress. We heard our constituents. We heard public interest groups, like Action for Children's Television and others. We heard viewers. We heard advertisers saying they wanted a change. We made a change. In December of 1992, the three networks got together and issued joint guidelines where we tried to share some of the experiences that we have had over these past many years as to how to depict violence, how better to depict it when it had to be depicted and how to eliminate it.⁵

In July of 1993, the four networks got together and we initiated our advance parental advisory plan which was one of those things that we liked to call empowerment, particularly for parents. On a much more regular basis now, since that document came out in July of 1993, we label programs with, if you will, a warning, stating that this particular program contains some violent material which some sensitive viewers, some children, might want to be warned about or the parents might not want them to watch. We put this on all of the on-air promotion and we put it on the program before it airs. We send it out in press material so that newspapers and television guides and program listings can pick it up and warn parents about it. It is knowledge. It is information for parents and it is one of the ways that parents can monitor their children's viewing, because they cannot do it obviously if they do not have enough information.⁶

We committed to Senator Simon that we would conduct an industry meeting, and we did on August 2, 1993 with Peggy Charren and some others.⁷ We spoke to try to sensitize others in the industry who were not as immersed in this issue as people on my staff. On the very next day, CBS conducted its own meeting, which I must say was unparalleled in my fourteen or so years of working with the network. Howard Stringer, who is second in command, if you will, at CBS, said to everyone, "this is no longer a program practices issue solely"—with "this" being the issue of violence in television program-

5. Randy Sukow, *Nets adopt violence code*, BROADCASTING, Dec. 14, 1992, at 9; *Big 3 networks agree to standards on violence in programming*, COMMUNICATIONS DAILY, Dec. 14, 1992, at 2.

6. *Networks agree on violence advisories in programming*, COMMUNICATIONS DAILY, July 1, 1993, at 2.

7. Joe Flint, *Simon delivers violence ultimatum*, BROADCASTING AND CABLE, Aug. 9, 1993, at 18.

ming. Now every single one of us is responsible and accountable for this issue. So before we acquire any rights to any program, we think about this issue. Before we purchase any movie, any theatrical for air, we think about this issue. Before we schedule any program, particularly in the early hours, we think about this issue. Before we promote any show that has depictions of violence in it, we think about this issue.

That was the first time, admittedly, that had ever happened. That changed a great many other sensibilities at CBS, and it has changed the way we scheduled for the fall, because if you look at our fall schedule, it has much less action-oriented material than ever before. The business changed. For the skeptics out there, let me tell you, it changed, and our business was impacted because of it. Every time I put an advisory on a movie, we lose over a million dollars. The last two I put on, I think we lost 1.4 million and 1.8 million dollars. Some of our cable counterparts say, "Oh, well, we put up advisories all the time." To that I respond: "So what, there is no business impact to you. You are not advertiser supported. You have cable revenue and subscriber revenue." There are business impacts to everything we do, but we do them because we believe that they are the right thing.

Just two months ago, the four networks met and agreed to do the joint assessment that Senator Simon had been asking us to do. I think in a way it was a natural outgrowth because we assess ourselves all the time. We look at ratings and see what is successful and what is not. We look at viewer mail. We look at advertisers: what they are supporting and what they are not. We look at what our viewers tell us. We look at what our affiliates tell us. We look at what our public interest groups out there tell us. So, we do assessments. We know we have made errors. I recall a continuing series which we premiered in September called *The Hat Squad*. I recommended that it not go on in any time slot before ten o'clock. It went on at eight o'clock. Were we criticized? Absolutely. Eight o'clock was much too early. Did we deserve the criticism? Yes we did.

It is not as though we have been with our heads in the sand and immune to criticism. We tried to make changes. As a result of it, we code our promotions now. If we have a movie with action, then we do different kinds of promotions. One set of promotions can air after ten o'clock or air in a show that we know has almost only an adult demographic and show more action. We have changed the way we do business.

I just want to mention one other thing that we are doing because I am particularly proud of it. It is something we worked very hard on. On April 25th, 1994, there is something called "Stop Kids Killing Kids Week" which CBS and Fox helped to put together. With a coalition of seventy national and local organizations, we have put together this week which begins with Physicians against Violence, and then on April 26th has the CBS/Fox broadcast of a program called Kids Killing Kids which shows some of the consequences of violence, some of the actions, what happens, what might not happen if you could stop it, and actually gives suggestions of several different programs that kids could use in their schools for teaching conflict resolution and other ways of handling conflicts and crises. It is a week-long series of activities with study guides across the country; mayors, religious groups, educational groups, secondary school teachers, associations and a number of organizations are getting behind this. It is only one of the things which you will see as responses to this issue. In addition to each one of the networks' programs, there are public service announcements which we aired, not only the President Clinton spot, but also ones which deals with anger management and so on. So there are a number of responses which CBS can be proud of and which the industry as a whole can be proud of.