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# Reporting Rape Charges: Treating Victims As Victims

By DENI ELLIOTT

Many women have reported rapes in the past several weeks. One, because she identified her rapist as the nephew of Senator Edward Kennedy, has had special treatment by the press.

NBC first told us her name. The New York Times repeated it the next day and told us more details: an accounting of her traffic violations, neighbors' speculations about why she didn't marry the father of her child, and the Times' own analysis of how the woman grew from a Midwestern high school girl with a wild streak to a Palm Beach woman of means.

No one had to peep in her windows to get this information (although reporters did that too). The record is public. This kind of information is available on all of us. But, the choice by some newswrooms to share those facts with their audiences has a nation wondering again about what people need to know about alleged victims. And, wondering what they need to know about suspects.

It's not that it is so difficult to make or justify some rules. It's just that the rules that make sense conflict with the way that things have always been done. This isn't the first time that newsroom traditions have gotten in the way of fairness and consistency.

First, newsrooms should treat victims of violent crime.

Suspects should be named when charged.

And few people deserve to have their dirty laundry summarized in the news columns.

Let's take these rules one at a time. The need to treat all victims alike became apparent to me after a talk with a victim of what's called "domestic violence."

When I met her, she was media-shy and court-weary. Her ex-husband had been found guilty of various charges relating to the night that he came back to the house, begging for a second chance. When she said no, he beat her, cracking her ribs and blackening her eyes.

The woman's physical scars were long healed when I met her, but she was bruised from her recent battles with opposing counsel and with the community.

"People come up to me at the office and say, 'How could this happen to a smart woman like you?' she said. "They act like I deserved it."

"I wish that the son-of-a-bitch had raped me, too," she said. "At least then they wouldn't have put my name in the paper."

Rape victims aren't alone in feeling vulnerable, revictimized and stigmatized. These feelings are shared by most victims of violent crime. If the victim's sensitivities are going to dictate news policy in the instance of rape, they should do so in other cases as well.

Newrooms should treat all victims of violent crime as they treat most survivors of rape. Give them all the choice of being named or not.

Newsrooms should treat alleged victims alike, but they shouldn't treat any of them as though they are suspects.

Our reasons for naming those charged with crimes, before they go to court, before their guilt or innocence is decided, is based on a historical fear. In framing our Constitution and designing an open government, our ancestors protected us from a society in which secret police grab citizens from their beds with no accountability.

Police records are open; people charged with crimes are identified. If other citizens know that name, they can come forward with an alibi. If they know the name, they can provide additional evidence for conviction. Naming those charged with crimes protects the person charged and the community at large. Calling the victim by name protects no one.

Nor is there often good reason for naming someone before he or she is charged. If the police are doing their job, charges will be brought only when there is pretty good reason for thinking that a crime has been committed. Is something wrong with the investigation? Is a police cover-up in process? That's justification for talking about a crime in lieu of charges. But, a day or two after the alleged event is hardly enough time to judge that a cover-up has occurred.

Neither victims nor suspects deserve to be treated like criminals. Or like politicians.

It can be argued that we need to know everything we can about the people who commit major crimes. The first is justified on the basis that leaders who have accessible secrets are subject to blackmail; the second on the basis that the more we understand about the criminal mind and background, the more we can do to prevent crimes in the future.

Reporting tradition has included relatives of politicians as those whose lives are fair game. But tradition isn't moral justification.

No justification can be found for divulging personal information about other people in the news, even if that information is public record and is interesting.

Think about the wealth of public information available on all of us:

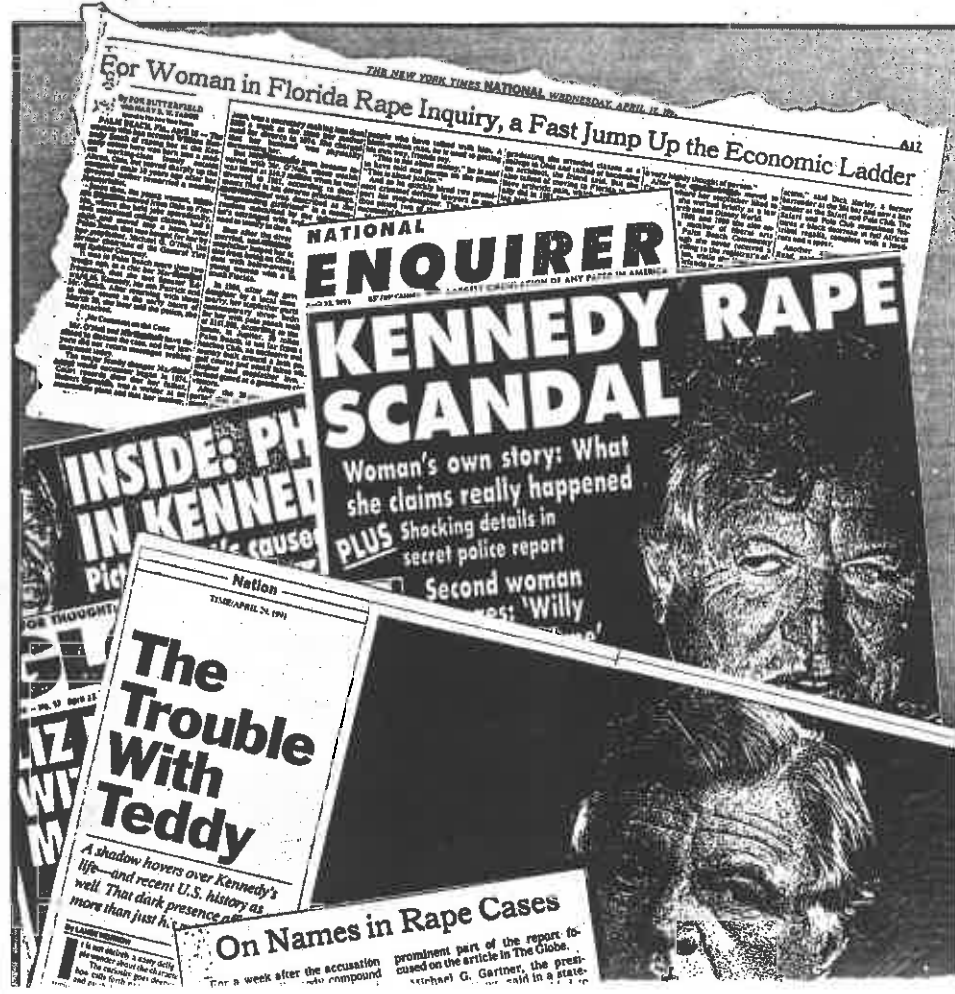
Birth, marriage and death certificates; civil, criminal and probate court records; driver's license information including traffic citations as well as the information on the card; property records and assessments; voter registration records (which may include address, phone number or Social Security number as well as party affiliation).

Publication of irrelevant but interesting information used to be what separated the weekly gossip sheets from mainstream news sources. But the recent New York Times behavior illustrates how computer records may change all of that.

Thanks to government computer tapes and computer-literate reporters, information that used to take days or weeks to accumulate now takes minutes or hours. It's always been public, but it's never been easier to get. Ease, however, is not moral justification.

The reason for publishing information that is going to hurt has got to be better than, "We've got it."

In an era when less is in the private realm, news organizations need to be more judicious in their selection of public facts.



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