

The College of Wooster

Monsters in Parents' Closets:

An Examination of the McMartin Preschool Case as a Moral Panic About Childhood

by

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TABLE OF CONTENTS

Introduction	1
Chapter One: Background to the McMartin Case	5
Chapter Two: The McMartin Case as a Moral Panic About Childhood	9
Chapter Three: <i>The Los Angeles Times</i> and the McMartin Case	17
Chapter Four: The Trial	21
Chapter Five: Forensic Procedures for Interviewing the Child Witness	27
Conclusion	32
Annotated Bibliography	36

INTRODUCTION

On August 12th, 1983, the mother of a two-and-a-half year boy called the police to inform them that Raymond Buckey, a teacher at the McMartin Preschool, had molested her son. A letter was soon sent out to the parents of the other children at the school, informing them of the charges. This was followed by interviews of roughly 400 students.¹ Soon after, the publicity the case received began to grow exponentially, and media coverage of the case soon reached cosmic proportions. Americans were bombarded daily with sensational headlines about the McMartins, who became the subject of daily conversation all over the country. Seven years and \$15 million in taxpayer money later, Raymond and Peggy McMartin Buckey were acquitted on all counts of child molestation. This case raised a number of anxieties for the American public; for the historian, it raises a series of questions.

First, why did the case obtain such an intense national interest? The case received an overwhelming amount of attention from the *Los Angeles Times*, in addition to a strong following from most areas of the country. Child sex abuse was not an unheard of crime by the 1980s; what made this case special? The second set of questions place the McMartin case in a larger history about childhood. How do ideas of innocence lost - expressed before, during and after the trial - fit in with the way childhood has been seen historically in this country? Finally, the last set of questions that merit attention are the legal ramifications of the McMartin case. Specifically, how has the legal understanding of child sex abuse changed in its aftermath? By providing answers to these questions, I

¹ Nancy W. Perry and Lawrence S. Wrightsman, *The Child Witness: Legal Issues and Dilemmas* (Newbury Park, CA: Sage Publications, 1991), 8.

follow the form of microhistory, in which one moment in time is opened up to reveal broader trends that emerge in society.²

Most historians who answer the first set of questions, about the extreme interest generated by the case, use the term “moral panic.” They argue that the media circus surrounding this case was an expression of anxieties unique to America during this time period. Some historians in particular have pointed out a fear of ceremonial, satanic child abuse that some surveys suggest a surprising number of Americans believed in. For example, in *Satan’s Silence: Ritual Abuse and the Making of a Modern American Witch Hunt*, Debbie Nathan and Michael Snedeker declare, “Belief in ritual-sex-abuse conspiracies was the stuff of moral panic, not unlike the crusades of the McCarthy era.”³ This study will examine the roots and meaning of the term moral panic, and assert that the events of the McMartin constituted as a moral panic over the loss of childhood innocence.

The second set of questions, which place the McMartin in a broader history of childhood in America, require that we probe the meaning of the word childhood, a term whose definition is often overlooked. Steven Mintz, author of *Huck’s Raft: A History of American Childhood* notes that “Childhood and adolescence as biological phases of human development have always existed. But the ways in which childhood and

² Burke, Peter. “On Microhistory.” In *New Perspectives on Historical Writing*. University Park, PA: Pennsylvania State University Press, 1992. In this chapter Burke describes microhistory as a set of questions characterized by “the reduction of scale, the debate about rationality, the small clue as scientific paradigm, the role of the particular...the attention to reception and narrative, a specific definition of context and the rejection of relativism.” The questions this study examines are at the mercy of these characterizations, particularly in their attention to reduction of scale and the small clue as scientific paradigm.

³ Debbie Nathan and Michael R. Snedeker, *Satan’s Silence: Ritual Abuse and the Making of a Modern American Witch Hunt* (New York: Basic Books, 1995), 4

adolescence are conceptualized and experienced are social and cultural constructions that have changed dramatically over time.”⁴ No better supporting evidence for this statement can be found than the McMartin case. It exposed childhood in America as a cultural construction because it caused widespread panic as it drew on the existing fears of parents, who saw the state of American childhood in steep decline from the once idyllic version they had experienced in their past. This study will seek to engage with this uniquely American fear and its role in the McMartin case.

The last set of questions deal with the judicial system’s response to the failed prosecution of the McMartins. In other moral panics, a noticeable change subsequently took place in the judicial system. After the Salem witch trials for example, no one was ever executed for witchcraft in Massachusetts again. Has the American legal system witnessed a transformation in the way child sex abuse is punished? This study will argue that there has been a shift not so much in the way child sex abuse is punished in the post–McMartin era, but instead in how it is investigated. Furthermore, this shift has demonstrated the emergence of a new set of ideas pertaining to the child as a witness.

In laying out these arguments, I begin with a short review of the case, followed by an overview of relevant secondary works that investigate the term “moral panic” and ideas about childhood. I will then assess coverage of the McMartin case provided by the *Los Angeles Times*, focusing on how ideas of monstrosity and lost innocence were conveyed to the reading population in Los Angeles. Next, I assess manuscripts from the case itself. I comb the prosecution’s statements for expressions of monstrosity and betrayal, while focusing on the attacks leveled against the child interviewing process by

⁴ Steven Mintz. *Huck's Raft: A History of American Childhood*. (Cambridge, MA: Belknap Press of Harvard University Press, 2004), 4.

the defense. Finally, this study will turn to recent publications that set rigid standards for interviewing children who are suspected victims of abuse. I will assess these publications in light of ideas expressed during the McMartin case. By assessing the case from these various angles, this study aims to provide a window into the changing ideas about childhood in America, and show how expressions of monstrosity and fears of innocence lost continue to influence us today.

CHAPTER ONE:
BACKGROUND TO THE MCMARTIN CASE

In one word, the McMartin Preschool case can be described as an enigma. Even today, twenty-three years after it came to a close, it continues to baffle public observers and those in academic spheres. From the moment the first allegations of sexual abuse were made in 1983, the case captured national attention in a unique way. For seven years Americans read and watched routine updates of what became, at the time, the longest and most expensive trial in U.S. history, running seven years and costing taxpayers \$15 million.⁵ Since then, the case has been the subject of books, scholarly articles, and even an HBO original movie.⁶ Furthermore, it has become the centerpiece of a movement aimed at reforming the way children are treated as witnesses.

The charges themselves were shocking: it was alleged that over 350 children were abused in multiple public locations and forced to participate in satanic rituals that included watching the mutilation of animals and drinking blood.⁷ The accusations initially stemmed from a mother who told the police her son had been abused by Raymond Buckey, a teacher at the McMartin preschool in Manhattan Beach, a small, quiet beach-front town in greater Los Angeles, described in the *L.A. Times* as a “placid

⁵ Edgar W. Butler et al., *Anatomy of the McMartin Child Molestation Case* (Lanham: Univeristy Press of America, 2001), 1; hereafter cited as *Anatomy of the McMartin Child Molestation Case*

⁶ *Indictment: The McMartin Trial*. Directed by Oliver Stone. Performed by James Woods and Mercedes Ruehl. HBO, 2001. DVD.

⁷ Nancy E. Walker, *Forensic Interviews of Children: The Components of Scientific Validity and Legal Admissibility*, report, 2002, section goes here, accessed January 18, 2013, <http://www.law.duke.edu/journals/65LCPWalker>, 149.

place where people actually stop and watch the sunset.”⁸ A letter was sent to the parents whose children attended the McMartin school, and the Children’s Institute International interviewed over 400 children.⁹ As a result of further accusations during the interviews, seven teachers were indicted on 135 counts of child sex abuse, all alleged to have been part of a ring of “massive molestation.”¹⁰

The initial public reaction to the charges was outrage. The extraordinary nature of the allegations had raised social anxieties in greater Los Angeles concerning trauma-filled childhoods and the destruction of community values, which contributed toward a hostile perception of the defendants.¹¹ This was confirmed in a survey conducted by the Los Angeles Times in 1985, in which two-thirds of the respondents indicated they were more concerned about a guilty child molester walking free than an innocent one being falsely accused.¹² In another survey conducted in 1986 by social scientists from Duke University four out of five of the respondents “said they believed Raymond Buckey was part of a child pornography ring,” despite there never having been produced a single piece of pornographic photography as evidence.¹³

⁸ Alan Citron. “McMartin Case Splits, Bedevils City.” *Los Angeles Times*, November 19, 1989. Accessed January 30, 2013. ProQuest Historical Newspapers, A34.

⁹ *Anatomy of the McMartin Child Molestation*, 2.

¹⁰ *Ibid*, 3.

¹¹ Steven Mintz. *Huck's Raft: A History of American Childhood*. (Cambridge, MA: Belknap Press of Harvard University Press, 2004), 335-371.

¹² *Anatomy of the McMartin Child Molestation*, 42-43.

¹³ Barry Glassner, *The Culture of Fear: Why Americans Are Afraid of the Wrong Things* (New York, NY: Basic Books, 1999), 32.

During the course of the case, it became clear that the prosecution was working with very little evidence: much less, at least, than had initially been presumed. After the preliminary hearings in which thirteen children testified and were cross-examined by the defense, the District Attorney dropped charges against five of the defendants because of insufficient evidence. Peggy McMartin Buckey and Raymond Buckey were still brought to trial, but the focus of the case had shifted: it was no longer believed that “massive molestation” had occurred at the McMartin preschool.¹⁴ Further events threw the case into even further uncertainty: the mother of the child from whom the initial allegations had stemmed died from liver disease related to alcohol abuse, and it was later revealed that she had been diagnosed as a paranoid schizophrenic.¹⁵ Ultimately Peggy Buckey was found not guilty on all counts. Raymond Buckey was found not guilty on most counts and a hung jury on the remaining thirteen. In a retrial that finally concluded in 1990, seven years after the first charges were filed against him, Raymond Buckey was again exonerated by a hung jury.¹⁶

What makes the popular opinion of the McMartin case so fascinating is how it has been warped since the case was closed. In addition to being exonerated legally, the defendants have been exonerated by the public. To whatever extent the defendants and their attorneys were vilified at the start of the case, they have been commemorated and honored since as unsuspecting victims. The McMartin trial is now seen as the centerpiece of a modern witch-hunt that concerned itself with ritual satanic abuse aimed

¹⁴ *Anatomy of the McMartin Child Molestation*, 3.

¹⁵ *Ibid*, 3.

¹⁶ Lois Timnick and Carol McGraw, “McMartin Verdict: Not Guilty,” *Los Angeles Times*, January 19, 1990, accessed February 13, 2013, http://articles.latimes.com/1990-01-19/news/mn-223_1_peggy-mcmartin-buckey.

at children, made worse by media frenzy.¹⁷ The aforementioned HBO movie, produced in 2001, sympathizes with the defendants and celebrates their defense attorney (played by James Wood), while demonizing the prosecution team for their overzealousness, faulting them for moving the case forward without any evidence (besides the compromised interviews of the alleged victims). Today, a simple Google search of the defendants' names reveals articles sympathizing with them as victims who "lost everything," and even an apology letter to Raymond Buckey from one of his accusers.¹⁸

It is in the context of this backlash that prosecutors, defense attorneys, and legal analysts have initiated a movement aimed at reforming the methods used to interview alleged child victims of sexual abuse. This movement emphasizes that child interviews aimed at gathering evidence should be conducted with careful forensic procedures, and stresses the difference in goals between forensic and therapeutic interviews. In its very essence this movement poses momentous questions about the reliability of child-witnesses, and suggests that questions of monstrosity raised by the McMartin case have stayed with us.

¹⁷ Debbie Nathan and Michael R. Snedeker, *Satan's Silence: Ritual Abuse and the Making of a Modern American Witch Hunt* (New York: Basic Books, 1995), 3; hereafter cited as *Satan's Silence*.

¹⁸ Kyle Zirpolo, "I'm Sorry," Los Angeles Times, October 30, 2005, section goes here, accessed February 09, 2013, <http://articles.latimes.com/2005/oct/30/magazine/tm-mcmartin44>.

CHAPTER TWO:
THE MCMARTIN CASE AS A MORAL PANIC ABOUT CHILDHOOD

In the twenty years since the McMartin case ended, it has been dissected through a number of different lenses, united in their aim to discover *what went wrong*: how could the most expensive trial in American history have ended with the exoneration of its defendants? Those who have sought to answer this question have framed the McMartin case in a variety of ways. The most popular of these methods has been to look at the case as a modern witch-hunt. In their use of the term witch-hunt, journalists and scholars assert that the case was a regrettable expression of social anxieties. This is a powerful method of assertion because it references a heavily mythologized piece of early American history. For example, in *Satan's Silence: Ritual Abuse and the Making of a Modern American Witch Hunt*, Debbie Nathan and Michael Snedeker explain that fantasies of satanic sex abuse, “exercised an irresistible hold on American society during the 1980s and 1990s. Belief in ritual-sex-abuse conspiracies was the stuff of moral panic, not unlike the crusades of the McCarthy era.”¹⁹ The comparison of McMartin era child sex abuse cases to the McCarthy trials, which itself has been likened to the Salem witch trials of the 17th century, is a powerful analogy. It draws upon two unique periods in American history in which scholars seem to overwhelmingly agree that the justice system was used as an instrument of destruction due to irrational public fury.

While the use of this framework to analyze the McMartin case may be enlightening, it is also important to recognize that the abstract notion of “childhood” has played a powerful role throughout American history. This is to say that the McMartin era

¹⁹ *Satan's Silence*, 4.

is not the first time that Americans worried about childhood's decline. Steven Mintz assesses this idea with excellent results in his book *Huck's Raft: A History of American Childhood*. Mintz outlines five myths that have pervaded the way Americans think about childhood: a carefree childhood, the home as a haven of stability, equal childhood regardless of class, ethnicity, etc., the United States as a historically child-friendly society, and contradictory myths of progress and decline.²⁰ While Mintz asserts that these myths have influenced the notion of childhood throughout American history, he also argues that we should look at childhood in America as falling into three overlapping phases: premodern childhood which occurred during the colonial era, modern childhood which occurred during the 19th and 20th centuries, and postmodern childhood which began in the 1950s and still influences our thinking today.²¹ Mintz argues that this postmodern phase has witnessed "the breakdown of dominant norms about the family, gender roles, age, and even reproduction as they were subjected to radical change and revision."²² The McMartin era, chronologically speaking, exists within Mintz's postmodern phase. This analysis then indicates that Mintz would understand the McMartin trial, like Nathan and Snedeker and other scholars, as a "witch-hunt" in response to a moral panic about major social change.

And yet, while the McMartin era falls within Mintz's third phase of American childhood, a critical piece of his argument is that these phases are overlapping. Thus, no phase can be assessed in isolation. The anxieties over the decline of childhood in

²⁰ Steven Mintz. *Huck's Raft: A History of American Childhood*. (Cambridge, MA: Belknap Press of Harvard University Press, 2004), 2-3; hereafter cited as *Huck's Raft*

²¹ *Ibid*, 3-4.

²² *Ibid*, 4.

America, spurred by “the breakdown of dominant norms,” need to be compared to similar moral panics that occurred during the premodern and modern phases of American childhood, if they existed.

Mintz provides numerous examples in *Huck's Raft* where family norms were challenged, and public concern was subsequently whipped up over the well being of children. In the early 19th century, during the premodern phase, urbanization led to a movement that ironically sought “both to protect children from the dangers of urban society and to protect society from dangerous children.”²³ In the 1920s, during the modern phase, “The psychologizing of childrearing raised parental anxieties considerably” because it implied that parenting required a certain level of skill, that if not achieved “could have disastrous psychological consequences.”²⁴ It should be noted that these panics were not always overtly negative. In the 1950s for example, there was widespread concern over the rise of polio in children: its final defeat “instilled a lasting faith in the power of medical research to eradicate children’s diseases.”²⁵ The point to take away is that examples of widespread anxiety are reoccurring. They take place even as Americans’ redefine the meaning of childhood. The misguided hunt for child molesters created by the breakdown of family norms in Los Angeles during the 1980s was certainly not the first time Americans have felt a wave of anxiety concerning childhood, and in all likelihood it will not be the last.

²³ *Huck's Raft*, 75.

²⁴ *Ibid*, 219-220.

²⁵ *Ibid*, 278.

This suggests moral panics that occur today over a figurative loss of childhood are exactly that: figurative and nothing more. Furthermore this notion of a halcyon childhood lost in time is more than just incorrect: it is deceptive. Mintz writes, “Idyllic images of childhood past, in which young people moved seamlessly toward adulthood, are invariably misleading.”²⁶ Thus, as long as we continue to place emphasis on childhood and yearn for an idealized version of it, anxieties will be directed towards children when social change inevitably occurs.

While the McMartin panic represents a continuity of these anxieties, one of its crucial components, the significant role of the media, is a development unique to the second half of the 20th century. Referring to “the media” as a singular entity invites questions of clarification. It can be problematic according to Eamon Carrabine, who claims, “the tendency to refer to ‘the media’ in the singular obscures the diversity of media forms”.²⁷ Yet while treating the media as a single entity might obscure its diversity, there are also essential elements that exist in all criminal news, with no regard to medium, whose analysis requires that we generalize about media form.

For example, criminal news in general is an important way we interact with and make sense of our broader culture. This was certainly true of criminal news as presented on television in Los Angeles in the 1980s. Some scholars have argued that television (and later the internet) is unique in its ability to influence our sense-making processes because of its immediacy. Carrabine writes that it has destroyed “the boundary

²⁶ *Huck's Raft*, 75.

²⁷ Eamonn, Carrabine. *Crime, Culture and the Media*. (Cambridge, UK: Polity, 2008), 10; hereafter cited as *Crime, Culture and the Media*.

separating reality from its representation...leaving images with no real-world referents”²⁸. But while television might be more immediate than other sources that deliver criminal news, it is not necessarily the most effective way through which we make sense of our culture. For example, Jack Katz notes that criminal news as presented in newspapers provides us with an opportunity to answer some recurring questions we might have about the society we live in. He says that criminal news stories “are experienced as new, as ‘new-s’, because the questions they tap re-emerge daily in readers’ social lives”²⁹. When we think about how stories about crime in newspapers are still being read today despite the availability of other, more immediate ways of obtaining criminal news, Katz’s argument seems to hold some level of truth. Thus, while a majority of Los Angeles residents might have obtained their news on the McMartin trial from television, we should not ignore the role of newspapers, the *Los Angeles Times* in particular, and their ability to influence the framework through which people understood what social issues were presented by the case.

The sheer volume of newspaper articles pertaining to a specific type of crime can be of particular importance. When debating if a period of social anxiety qualifies as a “moral panic” for example, totaling the sum of articles written about a specific crime becomes almost essential. In *Policing the Crisis: Mugging, the State, and Law and Order*, published in 1978, Stuart Hall assesses a rising social interest in muggings from 1972-1974, and decides that these chain of events provide a perfect example of a moral

²⁸ *Crime, Culture, and the Media*, 9. In this quote Carrabine is summarizing an argument made by French sociologist Jean Baudrillard in 1988.

²⁹ Jack Katz. “What Makes Crime ‘news’?” *Media, Culture & Society*, no. 1 (1987), 71.

panic.³⁰ Hall identifies several elements from these events, whose presence he declares to be essential in any event for it be labeled a moral panic. He notes, “The impression that ‘violent crime’, particularly ‘mugging’, was increasing produced a massive and intense coverage by the press, official and semi-official spokesmen, and sentences of an increasing severity in court”.³¹ Thus, according to Hall, a crucial component of a moral panic could be said to be an enormous amount of press coverage of a specific crime, followed by a noticeable shift towards severity of punishment in cases dealing with the same crime.

If we look at the prosecution of child sex abuse in the McMartin era post 1984, when the case first became news, this same process discussed by Hall emerges. After a massive amount of press was devoted to the case, similar allegations, horrific in nature, began popping up all over the country. In 1985 two middle school teachers in El Paso Texas were charged with “sexually molesting both boy and girl students, inserting sharp objects into their genitals, making pornography, and threatening the children with masks.”³² They were convicted and sentenced to life. In 1993 a day-care worker in North Carolina “was convicted on ninety-nine counts of sexual abuse and punished with twelve consecutive terms,” and a couple from Austin, Texas were given forty-eight years apiece.³³ The list goes on because the actual crime of child sex abuse was not a

³⁰ Stuart Hall. “The Social History of a ‘Moral Panic’ ” In *Policing the Crisis: Mugging, the State, and Law and Order*, (London: Macmillan, 1978), 3-18; hereafter referred to as *Policing the Crisis*.

³¹ *Ibid*, 17.

³² *Satan’s Silence*, 3.

³³ *Ibid*, 3.

phenomenon that simply began in the McMartin era. What was new during this period of hyper-awareness however, was an increasing severity in its punishment.

This is not to question the legitimacy of all allegations of child sex abuse that occurred during and after the McMartin era, but rather to suggest a causal link between the amount of press coverage a type of crime receives and the extent to which it is prosecuted and punished, as Hall demonstrates with the crime of mugging in the 1970s. Thus, when assessing the press coverage of the McMartin case, it is essential to look not only for language that may have swayed opinions regarding the defendants guilt, but also which details are stressed, such as the *amount* of abuse that was alleged.

We must also remember that journalists and news organizations make choices about what they publish, and that these choices result in some crimes being reported more often than others. In *The Culture of Fear*, Barry Glassner argues that this type of reporting, which results in “misbegotten fears”, occurs because “immense power and money await those who tap into our moral insecurities and supply us with symbolic substitutes.”³⁴ This means that when we find journalists “drawn to one hazard rather than another”, we can say this particular hazard holds a type of cultural power, and that something is at stake in its interpretation.³⁵ Thus, to demonstrate an over-reporting of the McMartin case is to provide ample evidence of the cultural power of child sex abuse in America. This type of over-reporting did indeed take place, especially in *The Los Angeles Times*. By assessing their coverage of the case, this study of will show how the

³⁴Barry Glassner, *The Culture of Fear: Why Americans Are Afraid of the Wrong Things* (New York, NY: Basic Books, 1999), xxxvi; hereafter referred to as *The Culture of Fear*.

³⁵ *Ibid*, xxxiv.

Times used this cultural power to portray the McMartin defendants in terms of monstrosity.

CHAPTER THREE:

THE LOS ANGELES TIMES AND THE MCMARTIN CASE

While the McMartin case was sensationalized through most of the types of media that covered it, interpreting newspaper articles that followed the case represents a unique challenge because newspaper articles about criminal activity tend to avoid reaching conclusions about guilt. Jack Katz has argued that it is this ambiguity that allows us to determine for ourselves what the facts mean, and how we should interpret them in order to maintain “faith in an ordered social world.” With that said, the facts of nearly every criminal case are manifold, and thus the process by which certain facts are included or excluded from news articles becomes crucial. Looking at the McMartin case as presented by articles in the *Los Angeles Times*, it becomes clear that facts about the defendants, whose relevancy were suspect, were included in order to make the case more shocking, and ascribe a sense of monstrosity to their alleged crimes. The goal here is not to present an exhaustive study of the *Times*’ role in perpetuating a moral panic about the McMartin case, but instead to provide an understanding of how the defendants were presented in these terms of monstrosity.

In one of the earliest articles on the case, “Shock Follows McMartin Arrest” (March 1984), Roxane Arnold discusses the shock felt by community members of Manhattan Beach at the arrest of Virginia McMartin. She says, “Known simply as ‘Miss Virginia’ to the decades of children who attended her preschool, McMartin – with teddy bears tied to her crutches – has for years been a familiar figure.”³⁶ This piece of

³⁶ Roxanne Arnold, “Shock Follows McMartin Arrest,” *Los Angeles Times*, March 28, 1984, accessed January 30, 2013, ProQuest Historical Newspapers.

information about teddy bears being tied to McMartin's crutches is not completely irrelevant to the story. And yet, neither is it essential to convey her previous stature in the community and the shock following her arrest. The practice of fixing teddy bears to her crutches could seemingly be interpreted as part of her job, considering she works with children. And yet, in the context of a criminal investigation for numerous counts of child sex abuse, this detail suggests, at the very least, that something is not quite right with Virginia McMartin (besides the fact that she is physically handicapped).

The following month, the *Times* ran an article titled "McMartin Lawyers Key on Children" by Ted Rohrlich. As Rohrlich describes Virginia McMartin's demeanor in court, we find the same fact about stuffed animals reemerge. In the last line of the article, Rohrlich adds, "As has become her custom in court, she appeared with a teddy bear affixed to a crutch and a toy rabbit affixed to her coat."³⁷ It was at least the second time that month the *Times* had noted Virginia McMartin's stuffed animal habit in an article about the case.³⁸ The article also ran with a large image of McMartin sticking out her tongue at photographers in court. Once again, these pieces of information were not irrelevant to their respective stories. However, it is worth asking what other facts were excluded, such as the demeanor of the other defendants, whose appearance might not have been as inexplicable and attention-grabbing. Thus, the journalist asks the reader to consider the guilt of all the McMartins based on the evidence of one or two unusual

³⁷ Ted Rohrlich, "McMartin Lawyers Key on Children," *Los Angeles Times*, April 21, 1984, accessed February 12, 2013, ProQuest Historical Newspapers.

³⁸ Robert W. Stewart, "McMartin Abuses Far Greater Than Indictment Indicates, D.A. Says," *Los Angeles Times*, April 7, 1984, accessed February 12, 2013, ProQuest Historical Newspapers; hereafter referred to as "McMartin Abuses Far Greater..." Stewart notes that Virginia McMartin, "again appeared in court with a small teddy bear pinned to the lapel of her overcoat". The article ran with an image of McMartin wearing sunglasses and covering her mouth with her hands.

habits of Virginia McMartin. Ultimately, this does more than just suggest guilt; by focusing on the puzzling and abstruse elements of Virginia McMartin's personality, these articles reinforce the idea that her crimes were monstrous and incomprehensible. It is this impression of monstrosity that helped convince readers in the Los Angeles area that traditional American childhood was under attack when they opened up a newspaper.

In addition to the language used to describe the defendants, the impression of monstrosity was reinforced by the *Times*' descriptions of the actual charges. In April 1984, the *Times* ran an article titled "McMartin Abuses Far Greater Than Indictment Indicates, D.A. Says" by Robert W. Stewart. In this article Stewart describes the McMartin case in terms of a "widespread" and "vast conspiracy." In addition, he relates the charges against the McMartins in graphic detail. In one instance he states, "the adults allegedly drew a large knife across the chest of one child, buried another in sand up to his neck and forced him to claw his way out, displayed guns and penetrated the vaginas of some young girls with 'sharp, foreign objects' ".³⁹ The allegations themselves, horrific as they are, suggest a sinister, inhuman force at work. Add to this Stewart's earlier use of the words "widespread" and "vast conspiracy", and this article seems to suggest that these forces of monstrosity were at work everywhere. In this way, it must have played on the fears of Los Angeles residents whose ideas regarding familial norms were already being "subjected to radical change and revision."⁴⁰

Another way the *Los Angeles Times* stressed the sinister nature of the children's allegations was to highlight the satanic element within them. In an article titled

³⁹ "McMartin Abuses Far Greater..."

⁴⁰ *Huck's Raft*, 4.

“McMartin Witness Tells of Demonic Rites in Church,” Lois Timnick paraphrases a ten-year old child’s testimony by disclosing that “he and other children from the Manhattan Beach nursery school were taken to the church several times for candle-lit ceremonies involving hooded, black-robed people and the slaughter of birds and rabbits.”⁴¹ Timnick writes that their “faces were hidden by the shadow of their hoods”, and that the ceremony involved a circle of people that turned “faster and faster, and picked up their moaning.” Resembling a scene out of a horror movie, Timnick’s description of the boy’s testimony suggests that dark, menacing forces were at work, preying on children of Los Angeles; combined with articles that suggested these forces were widespread, it becomes clear how the *L.A. Times* contributed, either willingly or unwillingly, to the sense of panic already felt by parents as their notion of American childhood was transformed. They added the idea of monstrosity to an ongoing fervent discussion about child sex abuse in America, the traces of which are readily apparent, to the careful observer, in our discourse today.

⁴¹ Lois Timnick, "McMartin Witness Tells of Demonic Rites in Church," *Los Angeles Times*, February 2, 1985, accessed February 12, 2013, ProQuest Historical Newspapers.

CHAPTER FOUR: THE TRIAL

While examining media coverage of the McMartin case illuminates social fears as expressed through terms of monstrosity, the trial itself serves as a potentially rich source because attorneys were required to portray the case in terms that would most effectively play upon the jury's cultural values, sensibilities, and fears in order to persuade them. Thus, examining the arguments made by the prosecution and the defense reveals what these beliefs of the jury might have been, and how they could be strengthened or undermined. In this chapter arguments made by the prosecution will be examined with respect to the questions they raised of monstrous caretakers and their threat to an innocent childhood, while arguments made by the defense will be examined in terms of the questions they raised about children as witnesses. The goal here is not to pass judgment on the prosecution or defense; while it is not irrelevant that the defendants were ultimately acquitted, the types of arguments made by both sides are more significant here.

In the prosecution's argument, there emerges an unmistakable thread that links the alleged crimes of Raymond and Peggy Buckey to widespread social fears about the loss of childhood innocence. An excellent example of this is when Deputy District Attorney Lael Rubin talks about a betrayal of trust in her opening statements. She says, "Your honor, ladies and gentlemen, this is a case about trust and betrayal of trust . . . trust placed in the hands of Ray Buckey and Peggy Buckey....Betrayal! These innocent children placed their trust in these two teachers and the teachers betrayed them."⁴² According to

⁴² "Trial Transcript Excerpts from the McMartin Preschool Abuse Trial." Accessed April 02, 2013. <http://law2.umkc.edu/faculty/projects/ftrials/mcmartin/trialmcmartin.html>; hereafter referred to as "Trial Transcript Excerpts from the McMartin Preschool Abuse

Rubin, the Buckey's alleged crimes constitute a betrayal because preschools, the institution they represent, typically guard and nurture children's innocence. In this case however, their innocence was supposedly been stolen in the most monstrous of ways. Thus, the betrayal of the trust Rubin refers to is an example of societal decay; the deconstruction of an institution that plays an essential part in the early stages of a "normal" childhood. Thus, by lamenting the Buckey's crime as a betrayal of trust, Rubin frames the case in a way that addresses a prevailing concern over the loss of innocence, and a desire to protect it.

Later in the prosecution's opening statements, we see Rubin characterizing this loss of innocence as abnormal, and attributing it to monstrous forces. Take, for example, when Rubin talks about the types of abuses the children allegedly endured, :

“One mother will tell you that she saw her daughter masturbating with a wooden pole. One mother will tell you that her children had nightmares. One mother will tell you that her child had a rectal fissure. Another mother will tell you she saw bloody stools when her child went to the bathroom.⁴³

Never mind that none of these examples are necessarily evidence of abuse occurring at the McMartin Preschool. What is important, or was important for Rubin and the jury, is that they depict children who have been thrust into a world of sexuality long before they have the level of maturity to comprehend it. What is more, it is a type of sexuality that is far from normal; it is one marked by a fiendish presence. Thus, in the opening statements of the prosecution, we again see the case conveyed as an issue that addresses the theft of childhood innocence by demonic forces. Their statements are meant to provide proof for

Trial”.

⁴³ “Trial Transcript Excerpts from the McMartin Preschool Abuse Trial”.

the jurors that these forces existed, and an argument that something must be done to stop them.

Turning to the selected witnesses for the prosecution, there again emerges a focus on the *type* of abuse that allegedly occurred, and an attempt to connect this abuse to satanic agencies. For example, take the following exchange between Rubin and her selected witness, a jailhouse informant:

“Did you talk to Ray Buckey about church?”

“Yes, he did. He said he belonged to a church I couldn’t get into – like a cult.”

“Did Ray Buckey say anything about hurting animals?”

“Yes, he did.”

“What did he say?”

“If the kids told on him....He slaughtered a cow at a ranch.”⁴⁴

Rather than demonstrating beyond reasonable doubt that abuse had actually occurred at the hands of Raymond Buckey, the prosecution takes this opportunity with their witness to again focus on the element of monstrosity in the allegations. They seek to prove that Buckey was indeed a member of a “cult”, and consequently demonstrate the existence of demonic forces that preyed on children. Furthermore, the prosecution is not interested here in proving when or where the abuse occurred, but instead on discussing the type of abuse that was alleged, in this case the slaughtering of animals in front of children. This choice by the prosecution suggests their belief that the horrific nature of the alleged incidents would have an impact on the jury’s sensibilities, which in turn required that the jury was sensible to this type of discussion. It is by no means a stretch to say that the jury

⁴⁴ “Trial Transcript Excerpts from the McMartin Preschool Abuse Trial”.

hearing this case was representative, in terms of their hopes, fears, and desires, of the greater Los Angeles area. The thorough procedures involved in a jury's selection, with both the prosecution and the defense exerting their influence, ensure that they are representative of their locality to some degree. For the prosecution to assume an argument that stressed a loss of childhood innocence at the hands of satanic forces would influence a jury, they had to assume that this argument would influence the majority of Los Angeles. Thus, in addition to the news articles and television reports that fretted over agents of monstrosity attacking children, the prosecution's arguments during the McMartin trials provide evidence of a moral panic that was sweeping through Los Angeles.

Turning to the arguments in defense of Raymond and Peggy Buckey, their one overarching objective was to attack the reliability of the prosecution's witnesses; in this case the alleged child victims. In his opening statements, Daniel Davis turns the prosecution's "betrayal of trust" argument on its head with his own breach of faith. He says, "I have heard negative things about betrayal of trust. There was something very, very wrong about what happened. The truth never really had a chance because children were artificially traumatized by interviewers into falsely believing they were molested."⁴⁵ Clearly Davis is preparing the jury to interpret what the child witnesses are going to say as false, and thus find his client not guilty. More importantly, although he undermines the legitimacy of their accusations, he does not accuse the children themselves of lying. Instead he attacks the *techniques* used by the interviewers. In his account of the events, the betrayal of trust was not committed by the Buckeys, but instead by the interviewers who "artificially traumatized" the children and created a false story.

⁴⁵ "Trial Transcript Excerpts from the McMartin Preschool Abuse Trial".

This paves the way for Davis to question how reliable a child witness can really be. Later in his opening statements he asks, “If the child has not been molested, could you ever convince the parents thereafter that the child was not molested?”⁴⁶ Davis asks this question for his own purposes; to demonstrate that the prosecution’s main witnesses are unreliable is to provide reasonable doubt that his client might not have molested them. But more importantly for our purposes here, he throws the child’s reliability as a witness in general into doubt. Implicit in his question is the idea that children’s minds are fragile, and easily manipulated to produce ideas that someone else might want them to express. Furthermore, it suggests that one “yes” answer is enough; parents, and the public in this case, can never become unconvinced that abuse has occurred after a child suggests it has, no matter the circumstances. Thus, it conveys the need for an objective, standardized way of gathering evidence from a possible child victim of abuse in order to prevent the aforesaid type of coercion from leading to an irreversible false conviction.

The defense’s principal strategy is also readily apparent in the questions they pose to their first selected witness, Dr. Michael Maloney. Maloney served as a stand in for the prominent medical expert the defense had expected to testify, who was forced to remove himself when the state attorney general contacted the department chair of the university at which he was employed.⁴⁷ On the stand, Maloney asserts that after watching videotapes of the interviews, he found them to be “counterproductive in the sense that the interviewers were saying too much, and providing too much information.”⁴⁸ A crucial part of this statement is the word “counterproductive”, as it implies that the interviews

⁴⁶ “Trial Transcript Excerpts from the McMartin Preschool Abuse Trial”.

⁴⁷ *Anatomy of the McMartin Child Molestation Case*, 3.

⁴⁸ “Trial Transcript Excerpts from the McMartin Preschool Abuse Trial.”

could have been successful, or productive, had they been conducted properly. While the prosecution certainly would not have agreed that this implied the Buckey's innocence, there is cause to suspect that they recognized this crack in their case; their aforementioned attempt to undermine the defense's case (by removing their chief medical witness) suggests as much. The knowledge, that there was an fault in the methods of evidence gathering, was not limited to those directly involved with the case. After the preliminary hearings, in which charges against five of the original seven defendants were dropped, this idea began to gain force in the public's mind. The *L.A. Times* article "McMartin Lawyers Key on Children", discussed in the previous section, indicates that this knowledge was widespread, amongst the public and legal analysts alike. The idea that the McMartin trial might have resulted in a different verdict, combined with its intense media exposure, are almost entirely responsible for the strict forensic procedures used to interview suspected child victims of abuse today.

CHAPTER FIVE:
FORENSIC PROCEDURES FOR INTERVIEWING THE CHILD WITNESS

In the twenty years since the McMartin case concluded, a tremendous amount of writing that has been devoted to the subject of the child witness. Experts have produced numerous books and articles that assess hours of field research to determine the best methods for interviewing children who are suspected victims of abuse. In short, these publications have raised the standards for evidence obtained during interviews, to the extent that much of the evidence presented against the McMartins would not have been legally admissible. In this chapter I discuss the details of these forensic standards, and how they emerged from the McMartin case. In essence, it will be argued that these procedures draw a strict line between interviews used for evidence gathering, and interviews used for therapeutic purposes. This dichotomy of approach suggests that ideas expressed during the McMartin case, that questioned the reliability of child witnesses, have taken root in our justice system today. It also reveals, simultaneously, a continuing desire to protect children from further loss of innocence.

One of the approaches that forensic procedures emphasize are to avoid “suggestive” or “leading” questions. This method highlights a potential problem with child witnesses that was not widely explored prior to the McMartin trial: that children might be made to say what the interviewer wants to hear. For example, Nancy Walker notes, “young children...are more likely to include information from the wrong source when interviewers ask closed questions that limit response options – such as ‘Did he...’ –

rather than providing open ended prompts.”⁴⁹ This reasoning implies that children’s minds are permeable in the sense that they might be made to say something they otherwise would not have, even inadvertently. Earlier in her analysis, Walker implies that this idea stemmed from the McMartin case when she says, “Research completed since the McMartin trial shows that the skill of the interviewer directly influences whether a child relates a true memory, discusses a false belief, affirms details suggested by others, embellishes fantasies, or provides no information at all.” The timing of the research (immediately following the McMartin case) thus indicates that non-suggestive techniques, part of the strict forensic standards for child interviews in place today, are a direct result of the McMartin trial, and specifically the questions raised about the child witness by the defense team.

An additional set of guidelines for forensic interviews advocate corroborating the child’s statements with additional details. For example, in 1992, Max Steller and Tascha Boychuk advocated that the forensic evaluator should strive to “formulate alternative hypotheses” about the child’s statements:

As such, the data will allow the evaluator to form alternative hypotheses about the alleged sexual events. For example, the first and foremost hypothesis would be that the child is describing the events as they occurred. Another hypothesis might be that the child is accurately reporting the events but naming the wrong perpetrator. A third hypothesis might be that the child is accurately reporting the events and not all of the perpetrators were named. A fourth hypothesis might be

⁴⁹ Nancy E. Walker, “Forensic Interviews of Children: The Components of Scientific Validity and Legal Admissibility,” *Law and Contemporary Problems* 65, no. 1 (Winter 2002), accessed April 14, 2013, JSTOR, 157.

that the child has been coerced to allege sexual abuse against an innocent person.

The semistructured [forensic] interview is designed to test the alternative hypotheses.⁵⁰

Likewise, Steve Herman, in “Forensic Child Sex Abuse Allegations” stresses that the purpose of forensic interviews “should be to elicit information that is designed to lead to obtaining or discovering hard evidence that either supports or contradicts an abuse allegation.”⁵¹ Both of these guides essentially advise against approaching the interview as if hard evidence is certainly attainable, which as we have seen, was one of the chief attacks leveled against the method of evidence gathering in the McMartin case. Thus, the inclination to avoid taking the child’s word at face value can be described, in part, as a reaction to the McMartin case.

Therapeutic interviews with child victims of abuse have also grown in popularity since the McMartin case. These interviews essentially aim protect children from emotional harm resulting from the recovery of traumatic memories. In *The Child Witness: Legal Dilemmas and Issues*, the authors express this idea when they inquire, “Where is the ‘justice’ in a system that requires that a child sacrifice her mental health in order that the guilty be convicted?”⁵² The goal then, they argue, should be to promote

⁵⁰ Max Steller and Tascha H. Boychuk, “Children as Witnesses in Sexual Abuse Cases: Investigative Interview and Assessment Techniques,” in *Children as Witnesses*, ed. John Wiley (Chichester: Wiley, 1992), 49.

⁵¹ Steve Herman, “Forensic Child Sexual Abuse Allegations: Accuracy, Ethics, and Admissibility,” in *The Evaluation of Child Sexual Abuse Allegations: A Comprehensive Guide to Assessment and Testimony* (Hoboken: John Wiley & Sons, 2009), 258.

⁵² Nancy W. Perry and Lawrence S. Wrightsman, *The Child Witness: Legal Issues and Dilemmas* (Newbury Park, CA: Sage Publications, 1991), 17; hereafter referred to as *The Child Witness*.

“psychological healing in the child without subverting judicial due process.”⁵³ This idea implies that interviewing an afflicted child is a wicked process in itself, as it inherently requires evoking a traumatic memory in the child’s mind. The suggestion that therapeutic interviews should play a central role for child witnesses thus calls upon a desire to protect children from an evil world of our own creation. In this sense, the expressions of monstrosity that were used to describe the McMartin trial have not been forgotten; they have been retained in our ideas about the child witness. While the strict distinction between forensic and therapeutic interviews reveals our cautious attitude toward the evidence a child witness provides, it also exhibits a familiar impulse to protect children from a loss of innocence in today’s world.

Moving away from the interview process, another movement in the post-McMartin era has voiced the need for expert instruction to be given to juries in cases involving a child witness. “Do Jurors ‘Know’ What Isn’t So About the Child Witness?” is an article whose central premise is a study that surveyed the beliefs of current jurors and jury-eligible college students in a single county in California regarding the reliability of child witnesses, and compared them with expert opinions. According to its authors, the study’s results showed differing levels of accuracy based on participants’ gender, ethnicity, and education; this resulted in a situation amongst juries where “even when a majority of individuals held correct beliefs, a large minority did not.”⁵⁴ Generalizing these results to America as a whole, the authors conclude “knowledge provided by

⁵³ *The Child Witness*, 19.

⁵⁴ Jodi A. Quas et al., “Do Jurors ‘Know’ What Isn’t So About Child Witnesses?,” *Law and Human Behavior* 29, no. 4 (August 2005), accessed January 28, 2013, 425 and 452; hereafter referred to as “Do Jurors ‘Know’ What Isn’t So About Child Witnesses?”

experts could reduce both unwarranted skepticism and naïve trust in children’s claims of sexual abuse.”⁵⁵ Two clear trends emerge from this study. The first is a polarization of opinions regarding child witnesses. For example the study’s results showed that men and caucasians showed more unnecessary skepticism toward child witnesses than women and Asian Americans.⁵⁶ Just as the McMartin case created a fault line in the Manhattan Beach community then, there exists a similar division across gender, ethnicity, and class today. Second is a desire to correct the first trend as it applies to the judicial system. Severe juror bias poses a problem for prosecutions of child sex abuse because they are part of a system whose inherent goal is provide unequivocal justice. The study concedes this problem by acknowledging “A critical and much needed role for experts is to reduce this variability and correct the misperceptions of a majority (or a large minority).”⁵⁷ Thus, concerns regarding the grey area surrounding child witnesses as expressed in the McMartin trial represent an obstacle that has yet to be overcome. Given the contentious history of childhood in America, and the continuing trend in the post-McMartin era to discuss lost innocence in terms of monstrosity, it is doubtful that they ever will be.

⁵⁵ “Do Jurors ‘Know’ What Isn’t So About Child Witnesses?”, 452.

⁵⁶ *Ibid*, 447.

⁵⁷ *Ibid*, 452.

CONCLUSION

This study has aimed to reveal how the McMartin case is a window into a moment in which a dramatic shift occurred in ideas about American childhood. Within this snapshot, we have seen that the case exposed fears about lost innocence by putting children at the center of a moral discussion characterized by ideas of monstrosity, and subsequently asking questions about those children's reliability as witnesses. In this way, the McMartin case represents a unique, transitional moment in American culture. As a moral panic however, it is certainly not alone.

I have argued here that moral panics evolve as an innate reaction to social change. The Salem witch hunts and the McCarthy trials are two of the most widely agreed upon examples, but in reality moral panics have occurred much more frequently, and in more places than just America. In 19th-century England for example, the terror inspired by the murders committed by Jack the Ripper occurred during a period when "respectable women asserted themselves in the public discussion of sexuality for the first time," according to Judith Walkowitz.⁵⁸ Later during the 1970s, England obsessed over the violent crime of mugging, which "produced a massive and intense coverage by the press, official and semi-official spokesmen, and sentences of an increasing severity in court," despite any evidence that suggested a real increase in muggings had taken place.⁵⁹ In this sense, moral panics may serve to alert us to the anxiety-causing social change that is

⁵⁸ Judith R. Walkowitz, "Jack the Ripper and the Myth of Male Violence," *Feminist Studies* 8, no. 3 (August 1982), 545. Accessed April 23, 2013, <http://www.jstor.org/stable/3177712>.

⁵⁹ *Policing the Crisis*, 17.

responsible for their existence. In other words, to identify a moral panic is sufficient evidence of a social change in progress. In the McMartin case, this transformation was the breakdown of dominant family norms in the Los Angeles area.⁶⁰ All this suggests that we should take moral panics with a grain of salt as they occur, and ask what might be their underlying cause.

Moral panics are not waves that simply come and go, leaving no trace behind. Instead, they leave fingerprints that can be dissected and analyzed. For example, they often shift subsequent areas of discussion. Rather than look retrospectively at the McMartin case and say, simply, we learned a lesson about the child witness, we might examine its message of monstrosity and innocence lost, and look for its affects on our discourse today. The early 1980s inaugurated a period of intense focus on child-sex abuse, and we are still living through it. The massive uproar at recent events like the Sandusky investigation and high-profile cases against members of the Catholic clergy suggest that our desire to tackle, discuss, and make sense of terrible devastations of innocence is still very much alive. While the McMartin case, Sandusky investigation, and Catholic clergy abuses were all unique events the McMartin case certainly shaped the way the latter ones were discussed. The Catholic Church, sports institutions, and preschools are all alike in their public visibility, and the daily role they play in people's lives. As each of these formerly trusted institutions were revealed to have veins of monstrosity running through them, there was public outcry. This was not naïve disbelief that someone might someone might sexually abuse a child; instead it was shock that children were at danger where we least expected it.

⁶⁰ *Huck's Raft*, 2-3.

This study has also sought to suggest that our collective psyche is still obsessed with ideas and violations of childhood innocence. On one level this is natural, for as Steven Mintz eloquently wrote, “It is not surprising that cultural anxieties are often displaced on the young; unable to control the world around them, adults shift their attention to that which they think they can control: the next generation”.⁶¹ Anxieties focused on children might thus be seen as natural and reoccurring.

And yet, with the McMartin case it is not this simple. Its deserves to be assessed alone because we can say with finality that the media rushed to judgment in this instance. The defendants were depicted as the face of a monstrous threat that existed to children all over the country, but at the end of the day (after seven years and \$15 million) this could not be proved. There was no conclusive evidence to suggest that Raymond and Peggy Buckley had sexually abused children in any manner, let alone involved them in elaborate satanic rituals. What is certain is that the defendants’ lives were irreparably damaged. Apology letters written two decades after the fact cannot change this.⁶²

It is fair to say then, that we should show more hesitation about discussions of monstrosity. Their ability not only to change lives, but also shift discussions and areas of legal focus make them potent weapons for implementing social change that is subtle. As Barry Glassner notes in *The Culture of Fear*, “immense power and money await those

⁶¹ *Huck’s Raft*, 340.

⁶² For example: Kyle Zirpolo, “I’m Sorry,” Los Angeles Times, October 30, 2005, section goes here, accessed February 09, 2013, <http://articles.latimes.com/2005/oct/30/magazine/tm-mcmartin44>. In this article Zirpolo apologizes to Raymond Buckley through reporter Debbie Nathan, and explains some of the questionable interview techniques that were used to illicit his accusations against Raymond.

who tap into our moral insecurities and supply us with symbolic substitutes.”⁶³ This is a scary thought when looking at the McMartin case and just how effectively it aroused our moral insecurities. Let us be cautious and critical when public discussions begin to take on the moral dichotomy of monstrosity and innocence.

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⁶³ *Culture of Fear*, xxxvi.

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Arnold, Roxanne. "Shock Follows McMartin Arrest." *Los Angeles Times*, March 28, 1984. Accessed January 30, 2013. ProQuest Historical Newspapers.

This article expresses shock from the residents of Manhattan Beach because they had previously held Peggy Buckey in such high esteem. The article details the role Virginia McMartin previously played in the community, explaining that she "has for years been a familiar figure at mayors' prayer breakfasts, Chamber of Commerce socials and civic affair luncheons". Thus there is a general sense of incomprehension from the members of the community as one reads this article. One community member says, "The things I have heard, the things I have read in the paper, I can't relate to the person I know".

Citron, Alan. "McMartin Case Splits, Bedevils City." *Los Angeles Times*, November 19, 1989. Accessed January 30, 2013. ProQuest Historical Newspapers

In discussing how the McMartin case has split Manhattan Beach, even as late as 1989, this article talks about some of the initial developments in the public opinion of the case. For example, it mentions that a "panic" was triggered in the city, and that "People siding with the prosecution started sporting 'I Believe the Children' pins and bumper stickers". This article also discusses some of the issues the case raised and the backlash against them. It mentions that pupils in city schools are now given "rigorous instruction in molestation awareness", causing some parents to "worry that their children are being taught to fear human contact". It is this kind of adverse reaction to the moral panic created by the McMartin case that would shape the later movement aimed at reforming how the criminal justice system identifies and addresses child sex abuse.

Citron, Alan. "McMartin Remains a Festering, Open Sore in Manhattan Beach." *Los Angeles Times*, November 19, 1989. Accessed February 12, 2013. ProQuest Historical Newspapers.

This article, written in 1989 a year before the McMartin case closed, is evidence not only of a community left divided and reeling from the fallout, but also of the national recognition that the case still received, even five years after the first charges were made. In the article, a resident of Manhattan Beach complains, "When we travel, people who follow the news occasionally put two and two together. And they say, 'You're from the town'".

McGraw, Carol. "McMartin Fallout: Will It Chill Child Abuse Inquiries?" *Los Angeles Times*, February 3, 1986. Accessed February 12, 2013. ProQuest Historical Newspapers.

This article, although written in 1986, already presumes the collapse of the prosecution's case in the McMartin trial (based on charges being dropped against five of the defendants). This seems to have caused some worry that there would be a backlash against the use of children as witnesses. For example, this telling quote from a San Bernadino County Sheriff, "the most unfortunate outcome of all this would be if people came to believe that accusations by children have no merit". Again, this idea (or question) of the reliability of children as witnesses seems to be most centralizing force for the debate that surrounded the McMartin case, and thus this makes the McMartin case and its coverage the most likely cause of the strict forensic procedures in place for child interviews today.

Rohrlich, Ted. "McMartin Lawyers Key on Children." *Los Angeles Times*, April 21, 1984. Accessed February 12, 2013. ProQuest Historical Newspapers.

In this article the McMartin defense attorneys' claim that "social workers 'preconditioned' child witnesses to concoct stories." After reading more of these articles, it becomes clear that any controversy and disagreement about the case, whether nationally or locally in Manhattan Beach, centered on this claim by the defense, and its implication (that children sometimes lie). Also interesting is how the article presents Virginia McMartin's in court behavior. It claims that she, "repeatedly stuck her tongue out" at photographers, and "appeared with a teddy bear affixed to a crutch and a toy rabbit affixed to her coat". The evidence in this case is presented in a manner that assumes McMartin to be losing her mental awareness (and perhaps even giving credence to the claims of satanic abuse), rather than someone who is lashing out in the face of overwhelming media criticism. In general, presenting these facts of McMartin's demeanor seems to assume that the reader can determine her guilt based on them.

Stewart, Robert W. "McMartin Abuses Far Greater Than Indictment Indicates, D.A. Says." *Los Angeles Times*, April 7, 1984. Accessed February 12, 2013. ProQuest Historical Newspapers.

This source indicates how the language used to describe the McMartin case, both by the media and the prosecution, often emphasized grand conspiracies, which played into the social fears and anxieties that were raised by the horrific nature of the accusations.

Summit, Roland. "No One Invented McMartin 'Secret' " *Los Angeles Times*, February 5, 1986. Accessed January 30, 2013. ProQuest Historical Newspapers.

This article is fascinating because it calls for the need to differentiate between interviews aimed at dealing with victims of abuse, and interviews aimed at gathering evidence for the prosecution. At the same time, this idea is presented within a framework that more or less assumes the guilt of the McMartin defendants. Summit says of MacFarlane's interviews of the McMartin children, "Her diagnostic techniques were meant to find victims of abuse, not prosecute the perpetrators. Rather than discredit MacFarlane, the criminal justice system needs to better understand the problem of child sex abuse and make accommodations to new sources of evidence". This call for the criminal justice system to "make accommodations to new sources of evidence" is essentially the idea that spearheaded its ultimate reform. However Summit is still working under a presumption of guilt for the McMartins; it is interesting then, to note that the reform movement picked up steam after the exoneration of the McMartins.

Timnick, Lois. "McMartin Witness Tells of Demonic Rites in Church." *Los Angeles Times*, February 2, 1985. Accessed February 12, 2013. ProQuest Historical Newspapers.

This source is a testament to how articles published in the L.A. Times often worsened people's fears and strengthened their belief that a serious moral problem existed in the modern world, and was coming to a head. Furthermore, it is evidence to how the testimonies of the children were taken as fact, and published in the paper as such.

Timnick, Lois, and Carol McGraw. "McMartin Verdict: Not Guilty." *Los Angeles Times*. January 19, 1990. Accessed February 13, 2013. http://articles.latimes.com/1990-01-19/news/mn-223_1_peggy-mcmartin-buckey.

This source is simply an account of the not guilty verdict in the McMartin trial. It also describes how the McMartin trial was the longest and costliest trial in U.S. history.

Williams, Bob. "McMartin Fallout Eases; Preschools Again at Capacity." *Los Angeles Times*, May 1, 1988. Accessed February 9, 2013. ProQuest Historical Newspapers.

This article addresses how preschool enrollment dropped when the McMartin case initially broke, and how preschools are again at capacity, nearly five years later (1988). Notable quote: "Parents are much, much more concerned about the care their children receive outside the family" (Mary Jo Nicolino, director of the Creative Kids Nursery). Thus, the psychological impact of the McMartin was so

great that it altered how parents thought about preschool as an institution in general in the Los Angeles area.

Zirpolo, Kyle. "I'm Sorry." Los Angeles Times. October 30, 2005. Accessed February 09, 2013. <http://articles.latimes.com/2005/oct/30/magazine/tm-mcmartin44>.

This source suggests a complete turnaround in the Times' attitude towards the McMartin defendants. Here a former child accuser of Raymond Buckey apologizes to him, two decades after the initial charges. Whereas during the initial phases of the trial the paper ran articles that more or less assumed the defendants' guilt, they now feel compelled to publish an apology from a McMartin accuser.

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Secondary Sources

Butler, Edgar W., Hiroshi Fukurai, Jo-Ellan Dimitrius, and Richard Krooth. *Anatomy of the McMartin Child Molestation Case*. Lanham: Univeristy Press of America, 2001.

The authors of this book participated in the McMartin trial in various ways for the defense, including "community surveyors, jury consultants, assistants to defense counsel in selecting the McMartin jury, and observers of testimony by children and expert witnesses during the course of the trial" (4). As a result, this book is somewhat of an impassioned (and therefore clearly biased) observation of everything that went wrong with the judicial system during the McMartin case. Language such as that displayed in the following statement makes that more than clear: "We hope that this book is about that faith – that justice will be done, however arduous the judicial path and however long the legal road" (11). This source provided me with an excellent insight into the methods and argumentative structure of the defense counsel in the case. This source was also valuable because it purports to place the case in a historical context of "social devolution" that was defined by "helplessness and resentment" (1). Thus, this source provides a greater awareness of the anxieties highlighted by this case, which ultimately led to institutional change.

Carrabine, Eamonn. *Crime, Culture and the Media*. Cambridge, UK: Polity, 2008.

In the introduction, Carrabine discusses the *Oz* obscenity trials of the 1970s, and their effect on framing subsequent debates, which he calls "The Politics of Pornography". I thought this was interesting as a similar example of how I approached my subject methodologically. Furthermore, I think the

distinctions Carrabine makes concerning types of mass media between what he calls the “Mass Manipulation model” and the “Laissez-Faire model” are helpful in understanding the media frenzy that might occur during a moral panic.

Hall, Stuart. “The Social History of a ‘Moral Panic’ ” In *Policing the Crisis: Mugging, the State, and Law and Order*, 3-18. London: Macmillan, 1978.

In this chapter, Hall examines a rising social interest in the crime of mugging in Britain during the mid 1970s, and this uses this case study to argue for some basic standards that an event must meet to be labeled a ‘moral panic’. This study was particularly useful for me as I demonstrated how press coverage and legal reactions can be linked. Hall says, “The impression that ‘violent crime’, particularly ‘mugging’, was increasing produced a massive and intense coverage by the press, official and semi-official spokesmen, and sentences of an increasing severity in court” (17). In my research I discovered that there was a rising rate of conviction of and severity in punishment given to child sex offenders during and after the McMartin era. Thus, using Hall’s framework, I was able to incorporate these statistics into a larger argument about the media’s role in the legal process.

Herman, Steve. “Forensic Child Sexual Abuse Allegations: Accuracy, Ethics, and Admissibility.” In *The Evaluation of Child Sexual Abuse Allegations: A Comprehensive Guide to Assessment and Testimony*, 247-66. Hoboken: John Wiley & Sons, 2009.

In this guide to conducting forensic interviews of the child witness, Steve Herman advises that the purpose of the interview is obtain “hard evidence that either supports or contradicts an abuse allegation.” In this way, this piece advises against assuming that evidence of abuse is certainly there, which was one of the criticisms leveled against the interviews of the McMartin children.

Lee, C. J. P. *Pervasive Perversions: Paedophilia and Child Sexual Abuse in Media Culture*. London: Free Association Books, 2005.

In general, this source’s argument focuses on placing child sexual abuse in its proper cultural context, contending that the abuse of children should not be surprising in a culture whose media places much emphasis on sex as “aggressive self-fulfillment” (vii). In making this argument this source seems to be beneficial to my project because it addresses and attempts to define the tone of debates over child sex abuse in popular culture. If the sensationalized McMartin case can be considered to be a debate over child sex abuse (which I believe it can due to the way it challenged cultural norms regarding the child caretakers and understandings of witness reliability), then this source is useful in helping address place that debate in its proper context.

Katz, J. "What Makes Crime 'news'?" *Media, Culture & Society*, no. 1 (1987), 47-75.

In this milestone essay, Katz examines what some crimes are considered to be more newsworthy than others, and what this says about why we consume it as news. This source proved instrumental by providing me a framework with which I could assess the media coverage of the McMartin case.

Mintz, Steven. "Placing Childhood Sexual Abuse in Historical Perspective." *The Immanent Frame*. July 13, 2012. Accessed January 18, 2013.
<http://blogs.ssrc.org/tif/2012/07/13/placing-childhood-sexual-abuse-in-historical-perspective/>.

This source is an article written by Steven Mintz for the website "The Immanent Fame". I found its discussion of historical cases of sexual abuse to be intriguing to my topic, and it includes links to multiple sources that address important moments in history when child sex abuse was brought to the public's eye. Thinking about child sex abuse as something whose definition has changed depending on the historical period greatly benefited my study.

Mintz, Steven. *Huck's Raft: A History of American Childhood*. Cambridge, MA: Belknap Press of Harvard University Press, 2004.

In the introduction to his book, Mintz declares "A series of myths have clouded public thinking about the history of American childhood" (2). Mintz outlines five of these myths: a carefree childhood, the home as a haven of stability, equal childhood regardless of class, ethnicity, etc., the United States as a historically child-friendly society, and a myths of progress and decline. Mintz argues that these myths have influenced the way Americans have thought about childhood since the colonial era. Mintz insists that we are currently in a third phase in the history of American childhood, which he calls the "the postmodern childhood": he says this phase includes, "the breakdown of dominant norms about the family, gender roles, age, and even reproduction as they were subjected to radical change and revision" (4). It is within this phase that Mintz places contemporary moral panics, such as the McMartin preschool case. This was an excellent source for my chapter, "The McMartin Case as a Moral Panic About Childhood" in that it helped me provide historical context for the case to my reader.

Nathan, Debbie, and Michael R. Snedeker. *Satan's Silence: Ritual Abuse and the Making of a Modern American Witch Hunt*. New York: Basic Books, 1995.

This source was been invaluable because it gave me a whole new framework through which to interpret the controversy surrounding the McMartin case, which is the framework of a modern witch-hunt. In their introduction, Nathan and

Shedecker paint a picture of an America in the 1980s and early '90s that was obsessed with the crime of child sexual abuse to the extent that it was widely believed there existed, "a massive conspiracy of secret Satanist cults that have infiltrated everywhere into society, from the CIA to police stations to judges' chambers and churches" (1). Also in its introduction this source presents an interesting organizing principle around which to view the statements of the children in the McMartin case: "Downplayed in this work was that at the beginning of each ritual-abuse case, the children had been eminently reliable, but what they communicated was that they had *not* been molested by satanists" (3).

Perry, Nancy W., and Wrightsman, Lawrence S. *The Child Witness: Legal Issues and Dilemmas*. Newbury Park, CA: Sage Publications, 1991.

This book, which was published in 1991, claims the issue of child sexual abuse has become commonplace in the last twenty years, and aims, essentially, to provide "an up-to-date review of social science research, legislation, and recent court decisions that relate to children as witnesses in court" (vii). Thus, this source was invaluable in helping me assess the themes and structures of the debate surrounding in children as witnesses in the immediate aftermath of the McMartin case. Furthermore, the book itself is clearly a product of the aftermath itself, as it gives a lengthy description of the McMartin case, even including a timeline, in its introduction. Thus, it was beneficial for my interpretation of the historiography surrounding the McMartin case in the last two decades.

Quas, Jodi A., William C. Thompson, K. Alison, and Clarke Stewart. "Do Jurors "Know" What Isn't So About Child Witnesses?" *Law and Human Behavior* 29, no. 4 (August 2005): 425-56. Accessed January 28, 2013.

For this article the beliefs of current jurors and jury-eligible college students regarding the validity of child witnesses were surveyed in a single county in California. The authors compared their answers to expert opinions, and determined that expert instructions should be given to jurors in cases involving a child witness. The results of this study reveal a polarization of opinions regarding the child witness based on gender, ethnicity, and class. The article itself represents a desire to correct this trend as it applies to the judicial system. In this sense, this article suggests that the challenges the McMartin case raised for the assessment of child testimony have yet to be overcome.

Steller, Max, and Tascha H. Boychuk. "Children as Witnesses in Sexual Abuse Cases: Investigative Interview and Assessment Techniques." In *Children as Witnesses*, edited by John Wiley. Chichester: Wiley, 1992.

This set of guidelines written for interviewing the child witnesses was written in 1992. It advocates that the interviewer should formulate multiple hypotheses based on the response of the child witness. In its own way then, this piece

suggests that the interviewer should take the child's statements with a grain of salt, and not assume that abuse had taken place prior to the interviewer. Assuming that abuse had occurred was one of the chief criticisms leveled against the interviews used by the McMMartin prosecution team.

Walker, Nancy E. "Forensic Interviews of Children: The Components of Scientific Validity and Legal Admissibility." *Law and Contemporary Problems* 65, no. 1 (Winter 2002): 149-78. Accessed April 14, 2013. JSTOR.

This is another set of guidelines for conducting forensic interviews of children. It suggests that the interviewer should avoid leading questions with limited options in terms of responses, such as "Did he?" Walker also begins by citing the McMMartin case as an example of how not to conduct forensic interviews. In this sense this piece is more evidence that the McMMartin case has impacted the way child sex abuse is investigated and understood today.

Walkowitz, Judith R. "Jack the Ripper and the Myth of Male Violence." *Feminist Studies* 8, no. 3 (August 1982), 542-74. Accessed April 23, 2013. <http://www.jstor.org/stable/3177712>.

In this article Walkowitz explores the mysterious murders committed by Jack the Ripper in 19th century London. She argues that the panic caused by the murders occurred during a period when "respectable women asserted themselves in the public discussion of sexuality for the first time." The murders created a myth that women were not safe by themselves at night, and thus kept women from asserting themselves more fully in this public discussion of sexuality. The method Walkowitz uses was invaluable to my work, as I too looked for results of the McMMartin panic on our world today.