

## Guilty—After Proven Innocent: The Ethics of “Trial by Media”

A friend of mine was accused of rape this past Spring. It made the news—if you subscribe to his local newspaper, you might have read the story about it. If you did, you’d know he was also charged with sexual battery and false imprisonment—you’d probably think they’d caught a dangerous man, certainly perverted.

In the first two seconds of meeting Benjamin Taylor\* he hit me with the hard sell. “Can you say Jesus Christ is Lord?” His urgency and conviction were earnest, and bombarding—without a doubt, if I said it, I’d be secretly admitting a sacred, soul-saving truth.

A good friend pastors a morning Bible study meeting—that’s where I got to know Ben better. One afternoon I stopped by their church—an open-air, Sun-bleached, wind-torn, tarp shaded, squatter camp on a desert-hot abandoned Marine base. Ben was the only soul to be seen; he’d been napping just before I walked up.

“Where is everyone?”

In characteristic sincerity, Ben replied, “I don’t know. I woke up and everyone was gone. I thought the rapture had happened.” Such a simple admission, yet, I don’t think I’ve ever seen a stronger display of faith.

“Ben, I’m pretty sure if the rapture *does* happen, you’ll be one of the first to go.” I still stand behind that statement, although Ben would certainly admit he’s not perfect.

What the local paper later neglected to report was that a few years back, Ben’s accuser had falsely accused another man of raping her—and for reasons I never did collect, ***all charges against Benjamin Taylor were dropped.***

That’s why we have trials, complete with an authoritative master of the law, litigators, *evidence*, and a box of jurors. While infected with a churning arsenal of devastating flaws, it is, the best way we, as a society, have come up with to determine a person’s innocence or guilt.

If you didn’t know Ben, or maybe only knew him in passing, and you read that article about him, would your perception of him change? Or more importantly, *should it?*

I certainly agree that informing the population about a rapist on the loose falls within one of the fundamental functions of the press. Ben wasn’t on the loose though. But—*rape* is a *sexual* offense, and the press *love, love, loves* SEX!

Sex is soooo efficient at grabbing eyeballs that attention-addict journalists just can’t stop themselves from reporting any scandal involving a penis, vagina, breasts, or sexual deviancy.

Apparently what they *can* stop themselves from reporting is the second half of the Benjamin Taylor story—*the one that clears his name*. A database search on the newspaper’s website, and Google-search, only retrieved the original article.

Whether a follow up, complete with a quote from Mr. Taylor, would have changed things, is difficult to determine. The rape genie, at least in the case of my friend, isn't of the wish granting variety—*the damage had been done*.

I'd returned to the abandoned base a couple months after the incident. My welcome-back from him included filling me in, complete with the press report. Within a day or two he'd moved.

Without claiming to be a psychologist, based on how my own traumatic experiences have shaped my personality and perception of how others see me—it's easy to understand why he left, but difficult to fully imagine the depths to which that article affected him.

Is “trial by media” ethical journalism? I don't know. I'm not the one to decide—I can only respond to how it reflects back to my tiny center of the Universe. So, from there, it seems that the press *must* understand that reporting on an accusation is a form of guilty until—or not even after—proven innocent. The question is, what angle on this am *I* missing—do we need journalists to identify the accused-and-in-custody?

*\*A fictitious name is in use to—as they say on television—protect the innocent.*