The Influence of Media and Community Sentiment on Policy Decision-Making

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Popular control of public policy is the defining feature of a democracy and has long been cited as a benefit of US citizenship (Erikson, Wright, & McIver, 1993). As the US founding fathers intended, citizens have the right to vote for political candidates who share their sentiments and beliefs. In turn, elected officials are expected to represent their constituents and actively develop and implement policies that cohere with community sentiment. Yet, the trajectory from community sentiment to public policy is not as linear as this core democratic principle implies. The notion that community members have the capacity to develop informed opinions on most policy issues has been challenged since the early nineteenth century (Lippman, 1922), and researchers today often contend that the general public lacks knowledgeable insight to make informed policy decisions (Miller, 1998, 2004). Scholars have argued that the public forms opinions on only the most salient issues during any given time period; even then, the reported opinions are biased by lack of

public knowledge or by the nature of the question asked (Finkel, 1995). Others have argued that politicians can effectively manipulate community sentiment to favor their own political agendas, most often by first influencing the media agenda (Jacobs & Shapiro, 2000).

Despite the complications inherent in assessments of relationships between community sentiment and public policy, it is clear that such relationships exist and that the media most likely acts as a moderating or mediating factor in community sentiment-public policy relationships (Lippman, 1922). Technological advancements during the past several decades have heightened the importance of incorporating the media into analyses of the linkages between community sentiment and policy actions (McCombs, 2004).

This chapter reviews relationships among community sentiment, the media, and policy decisions while highlighting the challenges involved in disentangling these relationships. First, it discusses the most commonly observed relationships between these three variables, illustrating the difficulty associated with addressing the issue of causality (e.g., which of the three entities—the policymakers, the media, or the public—affects the others?). Second, this chapter presents two recent "sensationalized" media events as case studies to further illustrate how the media and community sentiment both have potential to influence policy. Third, it reviews empirical evidence supporting the notion that policymakers do indeed incorporate signals

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from both the public and the media into their decision-making. Finally, it summarizes the potential costs and benefits of incorporating community sentiment, whether media driven or not, into policy decisions.

Complex Interactions Among Community Sentiment, Media, and Policy Decisions

Historically, US lawmaking follows a representative democracy in which policymakers listen, but not necessarily adhere, to public sentiment. Lawmakers often incorporate other factors, such as media consumption, into their public policy decisions. When policy decisions focus on injustice toward children and families, community sentiment could be colored by the media's portrayal of the particular injustice. The media are often referred to as "agenda setters" as they determine which issues are newsworthy and increase exposure for the issues they deem important (McCombs, 2004). Furthermore, media framing of these issues influences not only *what* issues the public should consider important but *how* individuals should perceive these issues (Brossard & Nisbet, 2006; McCombs & Reynolds, 2002). These perspectives are then adopted by the general public (McCombs & Reynolds, 2002). Although a Gallup survey indicated that 57 % of Americans have little to no trust in the media's ability to report news fairly and accurately (Morales, 2010), this does not preclude the probability that the public is aware of the media's capacity to shape their perspectives toward given issues.

Media portrayals of injustices toward children and family may have a particularly strong impact on community sentiment. The media's disproportionate focus on these injustices often creates a moral panic among the public (Zgoba, 2004), referring to the public's emotional reaction to an injustice that in turn arouses their need for political responsiveness to prevent such injustices from occurring in the future. Most often, this includes encouraging lawmakers to draft bills and adopt policies to address the injustice. Such legislation is then enacted to appease the public and satisfy constituents.

The relationships among media coverage, community sentiment, and policy decisions, however, are not always so linear in nature. The media often caters to consumers' interests and demands (McCombs, 2004), sensationalizing stories and issues that the public finds most engaging. Thus, it is challenging to determine the extent to which the media *influences* community sentiment versus the extent to which it *reflects* community sentiment. This is likely a reciprocal process whereby the media both shapes and represents community sentiment.

Furthermore, lawmakers can and often do influence media focus and content, which subsequently affects community sentiment (Surette, 2007). Through rhetoric, lawmakers attempt to persuade the public to favor their position by arguing that their policies have a higher likelihood of succeeding compared to their opponents' policies. If the issue is contentious, the media is more inclined to set the issue as newsworthy, influencing individuals to think that the issue is important, as well. Overall, policy decisions are shaped by complex interactions among lawmakers, the media, and the public, and the following section discusses two recently sensationalized media stories as case studies depicting these tangled relationships.

Case Studies Exemplifying Complex Relationships

Historically, highly publicized injustices toward children have ignited the public's emotions and fueled their desire for legal action, often leading to the formation of laws intended to prevent such injustices from occurring in the future. For example, AMBER Alert and Megan's law were both created in response to the heinous crimes committed against Amber Hagerman and Megan Kanka, respectively. Although these specific cases are not discussed here (see Chap. 17), the more recent case examples below illustrate the complex relationships among the media, community sentiment, and the law.

Casey Anthony. The murder of 2-year-old Caylee Anthony provides a recent example of the

effect of media and community sentiment on policy decision-making. In June 2008, Caylee disappeared from Orange County, Florida; her mother, Casey Anthony, failed to report her daughter missing and Caylee's remains were later found (Hayes, 2011). In June 2011, Casey Anthony was tried for the murder of her daughter. As agenda setters, the media decided that Anthony's trial was newsworthy and entertaining because an attractive mother was accused of killing her child. As a result, the trial was broadcasted live. The Casey Anthony trial dominated media headlines and the public became fascinated as the prosecution and defense proposed two strikingly dissimilar scenarios regarding Caylee's death. The prosecution alleged that Anthony suffocated her daughter and then disposed of her body, while the defense maintained that Anthony and her father covered up Caylee's accidental drowning (Hayes, 2011). As evidence of her guilt, the prosecution focused on Anthony's party lifestyle and compulsive lying during Caylee's disappearance (Hayes, 2011). The defense explained that her behavior was a coping mechanism to conceal pain, learned at an early age when her father allegedly sexually abused her (Hayes, 2011). The unconventional trial captivated the public's attention such that the public demanded continuous updates and the media willingly provided a disproportionate amount of coverage to their consumers.

The media not only determined that the Casey Anthony trial was newsworthy but also framed trial coverage in such a way as to imply Anthony's guilt. For example, Nancy Grace, a political pundit, referred to Anthony as "Tot Mom" and chastised the mother for her behavior during her daughter's disappearance and failure to report her daughter missing (Rozvar, 2011). Consequently, the public adopted the media's perspectives about Anthony's guilt. When Casey Anthony was acquitted of first-degree murder, aggravated child abuse, and aggravated manslaughter, there was an enormous public outcry. Individuals were shocked that their opinions about the trial outcome were not confirmed and that justice was not served for Caylee, sharing their sentiment across multiple social media sites (Conley, 2011).

The defense lawyers, on the other hand, admonished the media for their bias against Anthony and their depiction of her throughout trial (CNN Wire Staff, 2011).

As a result of the media's sensationalization of the Casey Anthony trial and the shock in response to a "not guilty" verdict, a moral panic erupted across the nation. Constituents demanded legislative action for the perceived injustice for Caylee Anthony. Most notably, an Oklahoma woman initiated an online petition which called for a federal law that would make it a felony for a parent or guardian to fail to report a missing child to law enforcement within 24 h. The Change.org campaign went viral, reaching over a million electronic signatures, and spurred states to enact their own versions of "Caylee's Law" (Crowder, 2011). Such enacted policies varied depending on the child's age, length of time to report a child missing or dead, and degree of punishment. New Jersey was the first state to pass Caylee's Law legislation, and other states quickly followed including Florida (the state where Anthony was tried) and, most recently, California and Illinois (Glover, 2012; Wood, 2013). However, some states, such as Iowa, have rejected the proposed legislation, deeming it too vague and even unnecessary (Glover, 2012). This seems to be the case regarding a South Dakota woman who was convicted of failing to report the death of a child who was under her care (Stebner, 2013). Laurie Cournoyer was on a 2-day drug binge and initially unaware when an 11-year-old boy strangled and killed a 2-year-old girl, both of whom were in her care; she reported the death 14 h later (Stebner, 2013). This is the first known case in which Caylee's Law legislation was used in a conviction. South Dakota's "Caylee's Law" represents an arguably well-intended policy but somewhat unnecessary as timely reporting of the death would not have saved the child. Cournoyer reported the girl's death (after she recovered from her inebriated state), just not within the law's allotted 6-h time frame. This demonstrates that such sentiment-driven laws are designed as legislative reactions to constituents' moral panic rather than as preventative measures.

Nadya "Octomom" Suleman. The highly publicized case regarding Nadya Suleman presents

another compelling example of the effects of the media and the public on policy decisions regarding children. Suleman was an unemployed, single mother of six who conceived octuplets using in vitro fertilization (Cohen & Gross, 2009). As a reproductive technology, in vitro fertilization is most often used by infertile women who need medical assistance to conceive. During this procedure, multiple eggs are fertilized in a laboratory; a few of the resulting embryos are transferred into a woman's uterus, while others are frozen and stored for a later use if the initial embryos do not implant. Suleman had 12 extra frozen embryos from a previous successful cycle, but instead of donating or destroying those embryos, she and her fertility physician opted to transfer all 12.

In 2009, Suleman delivered the octuplets via Cesarean section, and the media jumped at the opportunity to recount the events leading to this reproductive miracle. A simple story about the birth of octuplets, however, led to a sensationalization that swept the nation once the media caught wind that Suleman conceived via in vitro fertilization. Dubbed "Octomom" by media outlets (Goldman, 2009), Suleman's story has entertained the general public since January 2009, as it touches on many politically charged issues including scientific advancements in genetic engineering and women's reproductive rights. Specifically, media coverage included three main topics: morality, ethics, and finances.

The media concentrated on the morality of an unemployed single mother using reproductive technology to conceive, noting that Suleman, already a mother of six, elected to transfer multiple embryos rather than keep them frozen or donate them to infertile couples (Goldman, 2009). Furthermore, the media focused on the ethics of transferring multiple embryos and the health of the octuplets (Cohen, 2009; Park, 2009). Transferring more than one embryo increases the likelihood that a woman conceives, but it also increases the likelihood that she will experience a multiple infant pregnancy which poses health risks for both mother and infants (Ombelet, 2007). Federal and state governments do not regulate embryo transfer; instead, the number is decided upon by the physician and patient. Within the fertility medical community, however, the general practice is to only implant two or three embryos during each cycle depending on the woman's age, the number and success of previous cycles, the quality of the embryos, and the availability of extra frozen embryos; these ethical guidelines are established in order to reduce the number of multiple infant pregnancies (The Practice Committee of the American Society for Reproductive Medicine & The Practice Committee Society for Assisted Reproductive Technology, 2009). Despite the risks associated with a multiple infant pregnancy, the octuplets are reportedly healthy as the world's longest surviving set (Tayefe Mohajer, 2011). Finally, the media continuously covered the extent to which Suleman has financially supported her large family. The public was horrified to learn that Suleman has received government assistance, worked as a stripper, and starred in a solo pornographic video as a means to provide for her family (Fisher, 2013).

In reaction to the media's sensationalization, the public became outraged about Octomom and the ethical controversy surrounding her pregnancy. Specifically, they objected to the ease with which multiple embryos were transferred and the physician's blatant disregard of embryo transfer ethics. Since this controversy, Suleman's physician, Dr. Michael Kamrava, had his medical license revoked for failing to heed ethical guidelines, and some states have introduced legislation limiting the number of embryos that can be transferred. A Georgia senator proposed limiting the number of embryos to two for women under the 40 years old and three for women 40 and older; the Missouri legislature considered a similar policy (Cohen & Gross, 2009). These bills were quickly drafted but ultimately defeated in their respective state legislatures. Media sensationalization provided political momentum, but one explanation for the lack of endorsement is that these bills were too controversial, possibly affecting a public that is divided on the issue of women's reproductive rights. Such legislative action, however, does demonstrate the potential influence that both the media and the public can have on policy decision-making regarding children's health and safety.

As the above case studies illustrate, media coverage, community sentiment, and policy decisions are tightly interwoven. As such, it is often difficult to determine whether the media or community sentiment is a stronger predictor of policies, especially those designed to protect the health and well-being of children. To disentangle these relationships, social scientific research has investigated the influence of both media and community sentiment on child and family policy. The next section provides empirical evidence regarding the media, the public, and the lawmakers' roles in setting the policy agenda. It examines both general political issues and specific child protection policies while also examining the strength of relationships between these entities.

Impact of Community Sentiment and the Media on Policy: Empirical Evidence

Lawmakers in a democratic society are *supposed* to consider community sentiment and incorporate these sentiments into their decision-making; the degree to which lawmakers *actually* do this has been debated by political scholars for decades (Manza & Cook, 2002). Though most agree that the "policy agenda" typically reflects the "public agenda," research also has illuminated instances in which policy decisions did not adhere to community sentiment (e.g., see Jacobs & Shapiro, 2000; Monroe, 1998; Page & Shapiro, 1983). In this era of technological advancement, researchers are focusing on the role of the media in shaping both community sentiment and policy (McCombs, 2004). The case studies presented earlier describe such relationships, but these narratives are subjective.

This section briefly reviews empirical evidence regarding the extent to which lawmakers are influenced by community sentiment (the "public agenda") and by media coverage of particular issues (the "media agenda"). Most of this research has been conducted in the political science realm and has yielded conflicting results. In addition, empirical examinations of the

relationships among community sentiment, the media, and policymaking have been criticized for failing to incorporate the potential influence of external variables and for relying on correlational analyses instead of illuminating causal relationships. Though more empirical research is needed, it is proposed that both community sentiment and media coverage may have a particularly strong impact on policies involving children and families.

Relationships Between Community Sentiment and Public Policy

Numerous studies have examined linkages between community sentiment and policymaking at state and national levels (see Burstein, 2003; Jacobs & Shapiro, 2000; Jones & Baumgartner, 2005; Manza & Cook, 2002, for reviews). Such research typically involves assessment of correlations between public opinion on multiple issues and policy indicators relative to those issues, such as topics of congressional speeches, legislative votes, or enacted policies, which are enacted across substantial time. For instance, most researchers have used various public opinion poll responses to explore the impact of community sentiment on numerous "policy output" measures (Page & Shapiro, 1983) and actual legislative outcomes (Monroe, 1998). Some researchers have measured the impact of a more generalized "public mood" on multiple policy indicators (Erickson, MacKuen, & Stimson, 2002), while others have focused on the relationships between community sentiment regarding a single issue and policy action (e.g., Burstein, 1998; Jacobs, 1993).

Because this body of research examines so many different issues and variables operationalized as proxies for community sentiment and policy decisions, it is difficult to predict precisely how and when public opinion actually influences policy *outcomes*. Some researchers have found that the relationship between community sentiment and public policy has become weaker with time (though the relationship remains significant; see Jacobs & Shapiro, 2000; Monroe, 1998).

Some have found that public opinion predicts policy decisions a little more than half of the time (Page & Shapiro, 1983), whereas others have found a much stronger relationship (i.e., correlation of .91 between public opinion and policy; Erikson et al., 1993).

Despite these differences, research findings generally indicate a substantial relationship between public sentiment and the subsequent decisions of policymakers. Burstein's (2003) meta-analysis reviewing the relationships between public opinion and public policy at both national and state levels revealed that such correlations were positive and statistically significant in approximately 75 % of the studies. Effect sizes, when measured, were reported to be "substantial," though Burstein (2003) failed to define that term. Individual studies (some included in Burstein's analysis) reveal the same trend; more often than not, lawmakers' policy decisions adhere to community sentiment (e.g., Erikson et al., 1993; Page & Shapiro, 1983; Weaver, 2000). Although the strength of the relationship between specific community sentiment and policy actions varies among studies, there are no easily identifiable trends *across* studies regarding the types of policies (e.g., social, defense, international issues) that are particularly likely to reflect community sentiment.

It should be noted that the vast majority of literature explores issues that are highly salient on both public and policy agendas. This focus on the most salient issues is a primary criticism among those who believe that strong relationships between public opinion and public policy are overestimated (Burstein, 2006). These scholars argue that average community members do not have the time, motivation, and capacity to make an informed opinion about the multiple policy issues lawmakers continuously introduce and vote on (Burstein, 1998, 2006; Lippman, 1922). Consequently, these researchers suggest that public opinion affects policymaking on only rare occasions, ones during which public attention to an issue is especially high. This contention is warranted considering that approximately 10,000 bills and resolutions are considered in a typical US congressional session (Govtrack.us, 2013). It is highly unlikely that aver-

age community members have formed opinions on more than a handful of these proposals. Further, busy lawmakers do not have time to gauge and consider community sentiment pertaining to all of their decisions.

Research investigating the relationship between community sentiment and policy has been subject to numerous other criticisms. Primarily, many of these studies examine *correspondence* between public opinion and public policy, but make no efforts to establish a temporal relationship (i.e., establishing that public opinion preceded policy; see Burstein, 2003; Manza & Cook, 2002). Other researchers have attempted to address this issue by accounting for temporal influence and investigating the relationship between public opinion assessed 2 or more years prior to activities related to public policy implementation (e.g., Monroe, 1998; Page & Shapiro, 1983). Such analyses, however, do not establish that public opinion definitively impacts policy decisions. Numerous researchers have found that policymakers can set the public agenda and influence community sentiment via press releases, the media, or other campaign activities (see McCombs, 2004, for a review). Thus, it is difficult to determine whether seemingly "independent" community sentiment impacted policymaking or whether policymakers exerted some influence on community sentiment, which became consistent with policy agenda (Jacobs & Shapiro, 2000; McCombs, 2004). Further, many studies of the potential impact of community sentiment on policy decisions fail to consider factors that mediate or moderate this relationship. The next section reviews the literature examining the media as an additional and often primary factor in influencing policy decisions.

Relationship Between the Media and Public Policy

A large body of research reveals a strong relationship between the media agenda and the public agenda (see McCombs, 2004, for an extensive review). There is some debate about the proximal cause of this influence. Traditionally, it was assumed that media outlets, as profitable

enterprises, were motivated to cover issues deemed important by the public, and several studies provide evidence in which the public agenda appears to influence the media agenda (see Uscinski, 2009, for a review). Other research demonstrates that the media agenda is typically a precursor to public sentiment (see McCombs, 2004; Surette, 2007).

Taken together, the relevant literature implicates the media as the primary source, shaping public opinion in most cases (see McCombs, 2004). Experimental studies show that controlled media exposure significantly influences participants' perceptions of issue salience and importance (Althaus & Tewksbury, 2002; Wang, 2000), as well as their support for punitive approaches to violent crime (Gilliam & Iyengar, 2000). However, there are exceptions to every rule. For example, Uscinski (2009) found that the media influenced public opinion on issues such as national defense and crime control, which were related to regularly publicized "spectacular" events. Conversely, community sentiment appeared to influence media coverage on more "benign" topics not readily associated with a current sensational event, such as energy and the environment. Further highlighting the importance of considering external variables, Chiang and Knight (2011) found that newspaper endorsements predicted presidential candidate preferences in the 2000 and 2004 elections but only under certain circumstances. Specifically, public opinion was only influenced by endorsements that confirmed their initial candidate preference (thus strengthening their opinion) or by "unexpected" endorsements (i.e., "liberal" publications endorsing a conservative candidate or vice versa; Chiang & Knight, 2011).

Regardless of whether the media influences community sentiment or vice versa, lawmakers are increasingly relying on media sources to help them gauge and prioritize community sentiment (Jones & Baumgartner, 2005). Politicians often attempt to set the media agenda, anticipating that public sentiment will be influenced by the media in a way that supports their preferred policy agendas. Studies indicate that such efforts are successful in particular circumstances (e.g., during the

initial phases of the presidential primaries), but it is more common for the media agenda to shape the policy agenda (McCombs, 2004).

As with research focused on community sentiment and public policy, studies considering the media in these relationships tend to examine multiple variables over substantial periods of time. Most of these studies utilize time-series statistical techniques to establish the origin of influence of agendas, especially during elections. For example, national analyses of 1992 and 2000 US presidential campaigns reveal that both media and public agendas significantly influenced the presidential candidate's agendas (McCombs, 2004), and the media agendas of three local newspapers effectively set the candidates' issue agendas in the 1994 Texas gubernatorial election (Evatt & Bell, 2001). Researchers have also investigated the effect of both public and media agendas on the presidential agenda. Examining nightly news broadcasts and "Public Papers of the President" content from 1984 to 1994, Edwards and Wood (1999) found that media coverage influenced presidential agendas on foreign policy issues and that the president and the media influenced one another's agendas on education issues.

Conducting similar analyses, Gozenbach (1996) found that public sentiment concerning drugs influenced media coverage, which in turn shaped the presidential agenda on drug control policy from 1984 to 1991. Other research examining these relationships over a longer time period (1969–2004) revealed a reverse pattern: the content of presidential speeches (operationalized as the presidential agenda) influenced media coverage, which in turn influenced public opinion (Hill, Oliver, & Marion, 2012). These conflicting results could be attributable to differences in time span and methodology across the two studies. Hill et al. (2012) argue that their statistical methods were more robust than those employed by Gozenbach (1996). In addition, Hill et al. (2012) used only one indicator of public opinion in their analyses, whereas Gozenbach (1996) used several.

Researchers have also explored the relationships among public opinion, media coverage, and

policy decisions across a variety of policy issues during legislative hearings (Tan & Weaver, 2007, 2009). Results from such studies revealed the same general pattern across both state and national levels: all three variables of interest (i.e., the public, media, and policy agendas) were significantly correlated. However, the strongest correlations were between the media and policy agendas, whereas the weakest were between the public and policy agendas. It should be noted that although several highly salient issues were investigated, only some policy decisions (e.g., those pertaining to defense, international affairs) were impacted by the media (Tan & Weaver, 2007). Yet, this research does suggest that policymakers pay particular attention to media coverage on salient issues and perhaps even consider media coverage as a proxy for community sentiment in some cases.

Overall, research regarding the relationships among community sentiment, the media, and policy actions indicates that all three are often significantly related to one another. Clarifying the magnitude and direction of these relationships is challenging for several reasons. Though researchers can incorporate *some* of the external variables that can further influence public, media, and policy agendas (e.g., specific events, lobbyists, social influences; see Burstein, 2003; Uscinski, 2009), it is not possible to account for *all* possible external influences. Moreover, using different methods to explore similar research questions could yield conflicting results, and relationships among community sentiment, the media, and policy may change depending on the issue at hand.

Though the literature indicates that policymakers do often adhere to the sentiments of their constituents, it also suggests that the media is largely responsible for shaping community sentiment. More recent studies suggest a stronger relationship between media and policy agendas than between public and policy agendas (e.g., Jacobs & Shapiro, 2000; McCombs, 2004; Tan & Weaver, 2007, 2009), consistent with the assertion that policymakers primarily consult the media to gauge public opinion (Jones & Baumgartner, 2005). Less empirical focus has been placed on the particular

circumstances under which policymakers might be most influenced by community sentiment and the media. This topic will be explored further in the following section, which discusses agenda setting specific to policy regarding children and families.

Child and Family Policies: Abundant Speculation, Little Empirical Evidence

As the above review demonstrates, few studies have empirically examined the linkages among community sentiment, the media, and more *specific* policy actions. Several scholars have used narrative-based arguments supporting media and public influence on policies intended to prevent rare and horrific crimes against children. For instance, Zgoba (2004) describes how sensationalized news stories of child abduction and murder incited a "moral panic" among the public, leading to the nationwide implementation of the AMBER Alert crime control system. Jones (1999) and Filler (2001) discuss how increased media focus on child sexual assault, in particular the case of Megan Kanka and her activist parents, facilitated federal legislation for sex offender registration and notification laws (see Chap. 17). Such lines of reasoning are intuitive and logical; however, they would be bolstered by empirical evidence of specific public and media contributions to policy decisions in this arena.

Researchers have attempted to empirically link media coverage of child abduction to statewide adoption of the AMBER Alert system by conducting a content analysis of child abduction articles published in the *New York Times* between 2002 and 2003 (Muschert, Young-Spillers, & Carr, 2006). Over half of the articles analyzed focused on the sensationalized Elizabeth Smart abduction, and the vast majority reported on rare "stereotypical" abductions (i.e., children taken by a stranger rather than a family member). In these articles, any discussion of policy solutions to the stranger-child abduction problem focused exclusively on AMBER Alert. Social scientific research analysis, however, revealed

that the rare incidence of child-stranger abduction did not justify a significant policy initiative such as AMBER Alert. Thus, it was concluded that the media, rather than social scientific evidence, were primarily responsible for the spike in statewide adoption of AMBER Alert during 2002 and 2003. The researchers recognized the likelihood of multidirectional relationships in this process, such as the probability that the media impacted community sentiment, which in turn motivated lawmakers to implement AMBER Alert, or the possibility that lawmakers directly relied on media cues when considering this legislation (Muschert et al., 2006).

Limited research also has been conducted regarding the effects of media coverage on child welfare policy. Douglas (2009) examined the relationships between media coverage of child maltreatment fatalities in the USA and subsequent adoption of legislation intended to prevent such events. She found that media coverage significantly predicted subsequent preventative legislation (allowing for a 1-year time lag between media coverage and legislation). This research expanded upon a prior study which found that media coverage significantly predicted child welfare legislation, but not preventative legislation specifically (Gainsborough, 2007).

Results from these studies do not clarify the direction and magnitude of the relationships among the public, the media, and child policy actions, but they do provide a foundation for understanding these relationships and encouraging further investigations. For example, future studies could use experimental methods to assess the impact of media exposure on support for specific policies pertaining to children and families. In addition, researchers in this arena could broaden their investigations to include all three variables of interest: public opinion, media coverage, and policy actions. Ultimately, additional studies employing a variety of methods would complement one another to enhance the understanding of how community sentiment and the media impact child and family policy.

Despite the lack of empirical evidence, sociological theory suggests that policies focusing on the well-being of children could be particularly susceptible to community sentiment and media influence. Manza and Cook (2002) propose a "contingent" view of the impact of public opinion on public policy, outlining the criteria optimizing political adherence to community sentiment. First, these researchers argue that the impact of community sentiment and media on public policy should increase with issue salience, a contention strongly supported by the extant literature (e.g., see Jones & Baumgartner, 2005; McCombs, 2004; Tan & Weaver, 2007). Second, they note that the distribution of public attitudes regarding a policy initiative (i.e., strong consistent "unimodal" attitudes vs. split, contentious "bimodal" attitudes) can impact policymakers' incorporation of public sentiment, in addition to other concerns such as the cost and feasibility of a proposed policy and lobbyist or interest group influences. Third, they note the importance of Kingdon's (1995) "window of opportunity" in facilitating policy implementation. For example, "windows of opportunity" for political action often arise during sensationalized media coverage of injustices toward children, such as when Elizabeth Smart's father made emotional pleas to legislators to adopt AMBER Alert, which were then widely broadcast by mainstream media outlets (Hulse, 2003). Many highly publicized child protection policies appear to meet these criteria. Issues related to child abduction, sexual assault, or murder are definitely on the public radar, either as a result or a cause of media coverage. Support for such policies is often widespread and unchallenged across the USA (Proctor, Badzinski, & Johnson, 2002; Sicafuse & Miller, 2012).

Much more empirical research is needed to disentangle the relationships among community sentiment, the media, and policy decisions intended to promote the well-being of children and families. Scholarly discourse and case studies do support the notion of a strong influence of both community sentiment and the media on child and family policy. Yet, policies consistent with community sentiment might not always yield expected outcomes. The next section reviews the potential costs and benefits of political adherence to community sentiment.

Should Community Sentiment Direct Legislation?

As the above empirical evidence demonstrates, policymakers often use community sentiment when designing legislation, especially when the issue is salient and highly publicized by the media. This prompts the question, *should community sentiment direct legislation?* Historically, politicians are inclined to rely on community sentiment when making policy decisions concerning injustice toward children (e.g., Megan's Law, AMBER Alert). Policy decisions that are consistent with community sentiment increase the public's perceptions of a legitimate government, strengthening their respect of and compliance with the law (Tyler, 2006). However, not all community-driven policies appease the general public, particularly when constituents are split in their attitudes toward contentious issues (e.g., women's reproductive rights). Most often, such policies are defeated before they can ever be implemented (see Suleman case study as described above). Policy issues that involve a divided public highlight the fact that community sentiment is malleable (Finkel, 1995; see also Chap. 3), changing alongside society's values. As such, lawmakers should monitor and assess community sentiment (at least for salient issues) to ensure that their policy decisions reflect public opinion.

Incorporating community sentiment into policy decisions could enhance positive perceptions of government but may also lead to negative social and legal consequences. The majority of citizens generally lack knowledge to make informed decisions about public policy issues (Denno, 2000; Miller, 1998, 2004). Consequently, community sentiment is often based on emotions and morals (Blumenthal, 2003; Haidt, 2003) rather than facts. Morally and emotionally charged reactions often elicit illogical patterns of thought in interpreting information and forming opinions (Epstein, Lipson, Holstein, & Huh, 1992). These "cognitive biases" can lead to judgment errors (Kunda, 1999) which may further influence community sentiment.

Historically, numerous popular laws predicated on emotions, morality, and cognitive biases have violated individual rights and undermined well-being. For example, Caldas and Bankston (2008) note that most citizens in the southern USA supported the historic Supreme Court decision to legalize racial discrimination in *Plessy v. Ferguson* (1896). More recently, some legal scholars have argued that laws prohibiting same-sex marriage infringe upon the fundamental right to marry; however, such policies often reflect community sentiment (Tribe & Matz, 2012). Support for antigay marriage policies often emerges from emotions and morals, but it can also be based on cognitive biases. For example, it is commonly argued that permitting same-sex marriage will undermine the overall well-being of children in these families. Yet, decades of research in this area have yielded no reliable findings that children raised by same-sex parents experience any negative consequences as a result of their parents' sexuality (see Perrin & Siegel, 2013). Thus, lawmakers should consider not only the prevalence and direction of community sentiment but also the underpinnings of community sentiment. For instance, a recent content analysis of blogs regarding mandatory HPV vaccination revealed that most bloggers opposed mandatory vaccination legislation. However, arguments advanced by opponents were significantly more likely to be based on cognitive biases, whereas arguments advanced by proponents were significantly more likely to be based on documented research findings and facts (Sicafuse & Miller, 2014).

Well-intended policies such as AMBER Alert and Megan's Law were implemented in response to public concerns over child sexual assault, abduction, and murder that were fueled by the media (Zgoba, 2004). Understandably, these policies likely stemmed from morally and emotionally based reactions to the heinous crimes, as well as cognitive biases (e.g., inflated perceptions of stranger-abduction risk; Sicafuse & Miller, 2010). Yet, research suggests that these policies are likely ineffective and may yield unintended negative consequences (Chap. 17; Griffin, Miller, Hoppe, Rebideaux, & Hammack,

2007; Levenson, Brannon, Fortney, & Baker, 2007; Zgoba, Witt, Dalessandro, & Veysey, 2008). It is likely that Caylee's Law and embryo transfer policies will exhibit similar outcomes. For example, Caylee's Law critics contend that such legislation will increase missing child caseloads for law enforcement, interfere with legitimate missing child investigations, allow prosecutors to charge parents who fail to notify law enforcement about their child's whereabouts or accidental death, and not prevent a child's disappearance or death (Balko, 2011; Szalavitz, 2011). Furthermore, states that attempt to adopt fertility-limiting legislation in response to the Octomom case might produce negative consequences, such as reducing the likelihood of conception (especially for infertile individuals; Bergh, 2005; Ombelet, 2007), decreasing possibilities for extra embryos (i.e., medical donation, embryo adoption; Clark, 2009), and limiting women's reproductive choice (e.g., to conceive when not married; Daar, 2008). Community-driven policies, such as these, are often adopted in response to single, isolated cases that are not likely to be replicated, but in the hope to prevent the occurrence of future cases. However, as these outcomes suggest, such legislative reaction may have greater unintended consequences than any supposed benefits.

It should be further noted that community sentiment cannot be *readily* applied to all cases of perceived injustice, including those involving children and families. For instance, existing laws may prohibit legal action against perpetrators deemed worthy of prosecution by the public (Kerr, 2010). This is evident in the recent fatality involving Trayvon Martin, an unarmed juvenile who was shot to death by George Zimmerman, a neighborhood watch member (Rudolf, 2012). The Florida community demanded Zimmerman's arrest, but police officials declined to charge him with murder for many weeks believing that Zimmerman had complied with the state's "Stand Your Ground" law, a self-defense law that allows individuals to use deadly force when they feel threatened by an attacker (Rudolf, 2012). Ultimately, community sentiment outweighed the existing law and influenced the police to publicly charge Zimmerman for the perceived injustice. He was later acquitted, however, as the jury sided with the police rather than the public.

Child protection policies designed in response to community sentiment and media coverage are often hastily enacted and implemented in the hope to prevent future crimes against children. These well-intended policies, however, can yield unintended negative consequences, consequences that are often greater than any proposed benefits. So, should community sentiment direct legislation? The short answer is no. Policies intended to promote the well-being of children and families should be enacted when the public's emotions have neutralized and when they have the knowledge to make informed decisions. When sentiment is unbiased and less emotional, then it can guide policymaking; this can increase the public's confidence in lawmakers who will be seen as legitimate authorities relying on their constituents' sentiment.

Conclusion

In representative democracies like the USA, policymakers often listen, but do not necessarily adhere, to the sentiments of their constituents. Lawmakers are most inclined to incorporate community sentiment into their policy decision-making when issues are salient. Sensationalized case studies and social scientific research confirm that community sentiment does influence policy decisions. Moreover, anecdotal and empirical evidence demonstrate that the media and lawmakers shape policy decisions. Often, the relationships among the media, the public, and the policymakers are entangled; for example, the media might influence or reflect community sentiment or lawmakers might set the media agenda to win constituent favor. Empirical research indicates that all three variables are significantly related to one another, and strong support exists regarding the influence of both community sentiment and the media on child and family policy. Future studies should traverse several topics (e.g., child endangerment, neglect, and welfare) and employ a variety of methods

(i.e., correlational, experimental) to enhance understanding of community sentiment and media exposure on policies intended to promote the well-being of children and families.

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