

that the death penalty is arbitrary. But once a homicide has become a capital trial, the obfuscation of scale has winnowed, and we can see hegemonic knowledge about race, class, and gender operating through actors in a tragic human drama. This is not roulette.

I have written before that if we want to learn about what causes the death penalty, the answer will not be found at end stages, but rather at the point of capital *charging* (Kaplan 2017). As Kaufman discovered (34), this is currently a practical impossibility because prosecutorial decisionmaking is a guarded secret. Little is known about how or why prosecutors make any decision, let alone about homicide cases. This is actually rather scandalous because there is a *strong likelihood* that the same ideological forces we can see flowing through the actors in capital trials are also at work at the front end of the process. Until we have research on capital charging, studies of actual trials like Kaufman's are most welcome.

References

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Stranger Danger: Family Values, Childhood, and the American Carceral State. By Paul M. Renfro. New York: Oxford University Press, 2020

Reviewed by Daniel LaChance, Department of History, Emory University in Atlanta, GA

"If you dare to prey on our children, the law will follow you wherever you go," President Bill Clinton proclaimed at the 1994 signing ceremony for Megan's Law (qtd. on 210).

With its requirement that states disseminate information on convicted sex offenders to the public, Megan's Law was part of a wave of legislation in response to "stranger danger," the widespread fear that American children were vulnerable to abduction, sexual abuse, and murder by strangers. Beginning with Etan Patz's 1979 abduction from a New York City street corner, high-

profile cases of children gone missing regularly captured the nation's attention. In *Stranger Danger*, historian Paul M. Renfro masterfully explores the fear those cases evoked and the punitive laws they produced—invariably named after attractive white children who had been murdered by strangers.

Renfro argues that such legislation was not a rational response to a widespread threat, but a symptom of a culture that had projected many of its anxieties about social change onto the specter of “deviant strangers emboldened by sexual liberation” (8). Ignoring the reality that most child abuse, neglect, and abductions happens at the hands of family members and acquaintances, a bipartisan set of moral entrepreneurs sounded the alarm that childhood was endangered and championed the creation of a child safety regime that would protect it. New laws required convicted sex offenders to register with authorities, regulated where they could and could not live upon their release from prison, and authorized the detention of those deemed high risk after their sentences expired. The regime widened “the reach of the carceral net...whether through conventional imprisonment or panoptic practices of public shame and surveillance” (9). By 2018, 900,000 Americans were on sexual offender registries.

The child safety regime reflected and reinforced the worldview of “family values” conservatives best known for their opposition to gay rights and abortion. Those who demanded repressive policies saw themselves as protecting not only children, but the “normative, patriarchal, procreative family” (17). By casting the family as the ultimate guarantor of social health and economic well-being, the myth of endangered childhood also reflected and reinforced a neoliberal sensibility. Renfro ably shows that the vulnerability of youth who did not fit the white, middle-class image of “endangered children” was largely ignored. In an age of cuts to welfare and social services, “predators” upstaged “hunger, poverty, educational inequality, and other structural problems” as the greatest threat to children's wellbeing (9). What's more, as the state worked to protect white youth from unlikely threats to their safety, it adopted harsher juvenile justice policies that disproportionately punished youth of color.

An innovative mix of political, legal, and cultural history, the book has much to offer legal scholars. It provides a more granular explanation and exploration of important patterns identified by theorists of late modern punishment. In *The Culture of Control*, David Garland (2001) identified how late twentieth-century elites responded politically to the persistent failure of the state to control crime. While ratcheting up the use of harsh punishment, state actors worked to lower expectations about the state's capacity to

prevent crime by impressing upon private citizens and corporations that they were responsible for their own security. Renfro shows how central the politics of childhood was to this process in the United States. Constructed as white and middle class in the political imagination, children did not need health and welfare infrastructure to be safe. Instead, they needed a punitive surveillance state. To that end, the state created clearinghouses that would aggregate information on missing children and sex offenders. Businesses, meanwhile, earned good will by taking part in abduction prevention efforts. NASCAR partnered with the National Crime Prevention Council to distribute child safety literature to parents. The dairy industry engaged in a short-lived, but memorable, effort to publicize missing children's likenesses on milk cartons. Other businesses offered parents the chance to prepare for the worst by fingerprinting and videotaping interviews with their children.

As the title of his book suggests, Renfro chose to focus the work tightly on a specific threat: strangers who abducted and murdered children. On the one hand, that choice makes sense. Focusing on the "interlocking myths of stranger danger and endangered childhood" allows him to show how a neoliberal, family values agenda led lawmakers to neglect and even criminalize the nation's poorest and most vulnerable children (214). On the other hand, Americans of this era also grew fearful that their children were endangered by people in positions of trust. Take, for instance, the spate of false allegations of sexual abuse levied against teachers and daycare providers in places like Manhattan Beach, California and Jordan, Minnesota in the 1980s. Or the revelations, in subsequent decades, of abuse by people in positions of authority in the Catholic church, boarding schools, and youth detention centers.

The growing awareness that children were endangered by people in positions of trust raises questions that deserve Renfro's and other scholars' contemplation. How did the dominance of the stranger danger myth affect the detection, prosecution, and cultural response to revelations of abuse by people in positions of trust? How did the child safety regime evolve as "caretaker danger" eclipsed stranger danger in the public imagination? Did family values continue to be the primary ideological force underlying that regime, or was it replaced by a different set of political values and interests? Answers to these questions are necessary for anyone wishing, as Renfro advocates, to unmake the child safety regime.

This is ultimately a small quibble. *Stranger Danger* is a distinguished and memorable contribution to the history of social

control in the United States. Renfro demonstrates, as few scholars have, how important a bipartisan family values agenda was in shaping the logos, pathos, and ethos of the punitive state.

References

Garland, David. 2001. *The Culture of Control: Crime and Social Order in Contemporary Society*. Chicago: Univ. of Chicago Press.

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