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MEDIA WATCHDOG CLEANS OUT LOCAL PORNOGRAPHY

Barbara Hattemer of Naples, Florida, has provided new proof of the old slogan, "never underestimate the power of a woman." The president of a local chapter of Morality in Media, a media watchdog civic organization, she closed down the hard-core pornography in her area after being told that "it couldn't be done."

A Collier County (FL) grand jury figuratively held its nose and personally examined 34 porn magazines bought from the shelves of local stores by a 17-year-old boy. The grand jury found them "substantially beyond the customary limits of candor within this community."

The 11-page report established community standards for what is considered obscene in that county. Meanwhile, the judge ruled that some portions of the report, which described the content of some of the magazines, were too graphic to read aloud in court.

The grand jury apologized for polluting the public records with a description of the magazine contents in order to document its conclusions, but declared "these magazines are legally obscene" and "of no value to our community." The report concluded, "We demand that the law enforcement agencies within Collier County vigorously enforce the state statutes prohibiting such sales."

The 34 magazines listed as obscene and therefore not permitted to be sold in Collier County included Hustler, Club, Club International, Swank, High Society, Velvet, Companion, Expose, Pub, Chic, Sir, and others with more explicit titles. In addition, the grand jury reminded law enforcement officials to enforce the law which requires retail establishments "to cover photographs of nudity on books and magazines" and to place all soft-core porn magazines in such a location "as to keep them from the convenient reach of persons under the age of 18."

The grand jury stated that it was "mindful of our nation's cherished First Amendment Rights," and then said, "The rights guaranteed by the First Amendment should permit a free flow of 'ideas' -- not act as a conduit through which obscenity is allowed to permeate our

community." The grand jury called on all merchants to comply with the law, adding, "There is no reason why each individual within this County should not do his or her part to maintain a wholesome environment and moral climate in which our young people may thrive and prosper."

The 18 Collier County citizens based their unusual action as grand jury members on three U.S. Supreme Court decisions. In Roth v. United States in 1957, the Court declared, "We hold that obscenity is not within the area of constitutionally protected speech or press."

In Miller v. California in 1973, the Court ruled that the obscene material can be judged as a whole to determine whether it lacks serious literary, artistic, political or scientific value. In Hamling v. United States in 1974, the Court ruled that juries can judge obscenity by local community standards rather than by a national standard.

The grand jury report also dealt with video tapes, some of which showed rape, bondage, sodomy and incest. The grand jury found these videos obscene "in vivid color and punctuated by the most grossly offensive sound-tracks." The rental of video porn has become big business in many communities.

Addressing itself to one of the myths of today, the grand jury report said, "It is a popular misconception that it is legal to distribute obscene material to a consenting adult. There are absolutely no circumstances under which legally obscene material can legally be disseminated."

As a result of the grand jury report, all three adult bookstores in Collier County closed their backroom sections which contained the most offensive materials. The Miami Herald reported that all 429 Shop N' Go stores are removing Hustler magazine from their shelves.

The grand jury investigation began when Mrs. Hattemer, representing Morality in Media, complained to the Sheriff that juveniles were buying obscene materials. The battle isn't over, but the porn-peddlers are currently on the run.