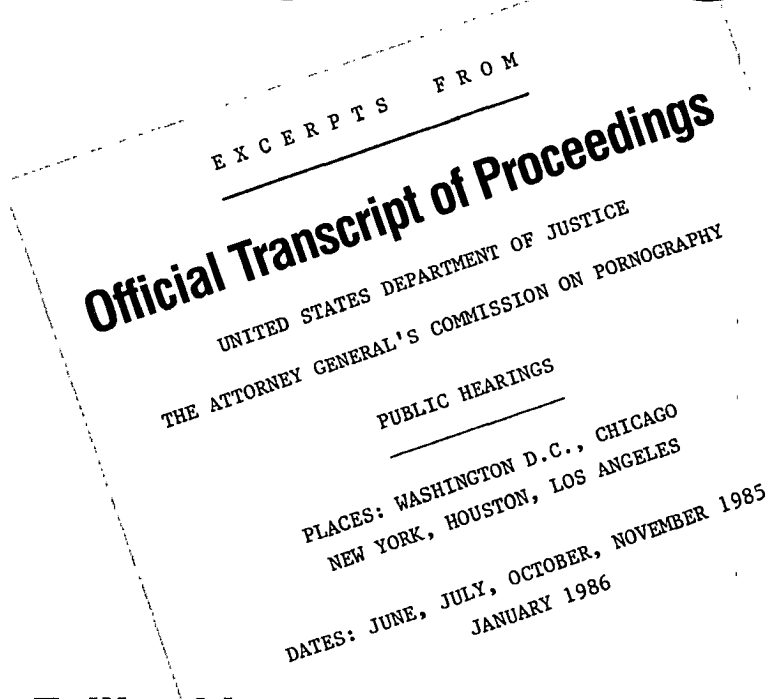
PORNOGRAPHY'S VICTIMS



Edited by

Phyllis Schlafly

Foreword by Beverly LaHaye

PORNOGRAPHY'S VICTIMS Schlafly, ed. Pere Marquette Press

PORNOGRAPHY'S VICTIMS

Other books by Phyllis Schlafly:

**A Choice Not an Echo, 1964*
**The Gravediggers, 1964*
**Strike From Space, 1965*
**Safe Not Sorry, 1967*
**The Betrayers, 1968*
**Mindszenty the Man, 1972*
**Kissinger on the Couch, 1975*
**Ambush at Vladivostok, 1976*
**The Power of the Positive Woman, 1977*
**The Power of the Christian Woman, 1981*
**Equal Pay for UNequal Work* (editor), *1984*
**Child Abuse in the Classroom* (editor), *1984*

Mrs. Schlafly is the subject of a current biography, **The Sweetheart of the Silent Majority,* by Carol Felsenthal.

PORNOGRAPHY'S VICTIMS

Phyllis Schlafly, editor

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FOREWORD
by Beverly LaHaye

Much controversy has surrounded the publication of the *Report of the Attorney General's Commission on Pornography.*

The Commission's critics and the pornography industry have hysterically labeled its findings an attempt to destroy the First Amendment. The liberal media were quick to feature the premeditated rantings of the left-wing elite and those with vested interests in America's moral decline.

Those who want to restore morality and decency in our society are accused of being "censors." The pornographers contend that our Constitution allows them to portray women, often forcibly abducted, in a degrading and sickening manner. They were never intended to have the freedom to corrupt our society, portray women as sex objects, and pervert people's minds. By distorting the historical record and purposes of our founding fathers, they devalue the real significance of the First Amendment.

The defenders of pornographers' "rights" are, knowingly or unknowingly, creating an environment that legitimizes the further spread of abuse of women and children. By ridiculing and opposing all attempts to prosecute and track down those depicting even *illegal* activities, they are obstructing justice and promoting the violation of our civil rights.

As Dorchan Leidholdt states in her testimony, "A lot of people said that pornography is speech. We

say: It's not our speech, it's our silence. A lot of people say that pornography is liberation, that it's all about freedom. We say: It's not our freedom."

Many are unaware of the true nature of pornography today. The depiction of rape, child sexual abuse, torture, and bestiality are commonplace. Real victims are forced to undergo humiliation and pain to gratify sick minds. The testimonies in this book vividly attest to these harsh realities. The "softcore" *Playboy*-variety of pornography also is harmful because it portrays women as purely sex objects and encourages their treatment as such.

Those who most vehemently cry "censorship" are the pornographers, abortionists, and others who stand to profit from the broken lives and misery of others. As Phyllis Schlafly points out, they are the real censors. The victims in this book have not had their views heard; they were ignored. The media didn't care to report on or publish the revealing three thousand pages of testimony amassed by the Meese Commission.

The testimonies you will read in this book are not pleasant. Yet, the story of pornography's victims must be heard and the problem dealt with. By compiling and editing this book, Phyllis Schlafly has provided needed information, filling a void created by the media.

The stark realities of pornography and its effects on people's lives jump at you from the pages of this manuscript. For some it will be a rude but necessary awakening, hopefully prompting us to action.

Beverly LaHaye
President, Concerned Women for America

INTRODUCTION
by Phyllis Schlafly

If persons in a public place engage in sexual acts, or take off all their clothes, or relieve their bodily functions, they will be arrested—and should be arrested. They may be in violation of several laws; at the very least, they would be a public nuisance. Those acts may be all legal and proper in private, but we do not permit them to happen in public.

Why, then, is it not likewise against the law to sell a picture of any of the above? Do these acts become socially acceptable in public just because they are presented on paper or film?

Those who answer yes to that question invoke the First Amendment to clothe their public nuisance. They cry "censorship" to intimidate anyone who wants to stop their public display of and commercial profiting from these very private acts.

If persons in a public or private place commit rape, assault, or battering, they will be arrested—and should be arrested. Rapes, whippings, beatings, and touchings of another's body are against the law, and society will and should punish the offender.

Why, then, is it not likewise against the law to show a picture of these illegal acts? Do these crimi-

nal acts become socially acceptable just because they are presented on paper or film?

Those who answer yes to that question invoke the First Amendment to clothe their illegal acts. They cry "censorship" to intimidate anyone who wants to stop their public display of and commercial profiting from these illegal acts.

Now add another element to this latter question. Suppose all the persons who are the target of these illegal acts are blacks, or Jews, or Native Americans, or children. The strong arm of the law would move swiftly to prosecute the offenders. The entire array of civil rights legislation and litigation that has been developed in the last twenty-five years would move into merciless action.

If we were talking about pictures of these acts against blacks, Jews, Native Americans, or children, our prevailing social mores would find such recordings on paper or film to be socially unacceptable. Publishers, periodicals, entertainment houses, and retail establishments would not risk releasing written or filmed presentations which portray violent race discrimination—even if the cry of "censorship" were raised, which it would not be.

Why, then, are these acts not likewise against the law when the group targeted for rape, assault, battering, degradation, humiliation, or other abuse is women? Can these things be socially acceptable just because women are the victims?

Those who answer yes to that question invoke the First Amendment to clothe their targeting of women, individually and collectively. They cry "censorship" to intimidate anyone who wants to

stop their public display of and commercial profiting from the use of women as specific targets of abuse. The "civil liberties" of the abusers are ranked higher than the "civil rights" of the abused.

America has been moving relentlessly to clean up the quality of our air and water. No matter how legal or proper or necessary your business, prevailing social mores dictate that you may not pollute the air we breathe or the water we drink. The polluter is squeezed between legal action on the one hand and social condemnation on the other. In many cases, notably the pollution that comes from bituminous coal smoke belched by industry and the tobacco smoke emitted by smokers, the social condemnation preceded the legal restrictions.

Why, then, is pollution of our minds and spirits by pictures of violence and perversions not likewise against laws and social mores?

Those who defend such pollution cry "censorship" at the mere suggestion that society may try to protect itself, its families, and its children from mental and moral pollution and destructive antisocial behavior.

Who are those who cry "censorship"? They are the $8 billion-a-year pornography industry, plus all those who are making money out of any of the acts listed above. This includes the media (especially television networks, cable companies, and metropolitan newspapers that run movie ads), the entertainment industry, the abortion clinics, the organi-

zations financed by donations or fees from pornographers (such as the American Civil Liberties Union), and the immense array of service providers whose careers are advanced by increasing the numbers of persons with broken lives.

Pornography produces tremendously high profits. The person who goes into the pornography business may receive a higher return on his money than on almost any other investment. The retailer usually makes a higher dollar margin on pornographic materials than on any other merchandise he sells.

Pornography, therefore, generates its own money to finance its own advertising, its own public relations campaign, its own paid agents to package their perversions in the cloak of the First Amendment, and to conduct smear campaigns against those who oppose them, such as falsely calling them "censors."

For example, when the Attorney General's Commission on Pornography issued its report in mid-1986, it was greeted by an avalanche of press attacks crying "censorship" and "book banning," and suggestions that the report would interfere with the First Amendment and our "right to read." Such clichés were part of a clever advertising campaign orchestrated by the pornographers.

Gray and Company, the largest public affairs firm in Washington, D.C., received a lucrative account on the basis of a six-page contract offered to the pornographers' trade association. The Gray letter spelled out two principal strategies for a gigantic advertising campaign estimated to cost

$900,000. First was an attempt "to convince the American people that campaigns to ban certain books, magazines, newspapers, movies, television shows, speeches and performances threaten everyone's freedom." The Gray letter set forth plans to try to "discredit the Commission on Pornography" by using newly-created "front" groups under such deceptive titles as "Americans for the Right to Read" or "The First Amendment Coalition."

Secondly, Gray and Company's advertising strategy called for repeating, over and over again, the claim that the opposition to pornography comes only from "a group of religious extremists whose tactics and goals are clearly not representative of mainstream America," and that these religious "extremist pressure groups" are trying to "impose their narrow moral and social agenda on the majority."

To make these two themes the framework of public discussion about pornography, Gray and Company laid out an expensive plan to use a series of news conferences, "advertorials" in major national newspapers and magazines, and spokesmen on television and radio news, public affairs, and talk shows. Anytime you see or hear any of these themes, you can bet that it is, overtly or covertly, a paid political advertisement planted by the profiteering pornographers.

But are these people really against censorship? Or is that just a cover to conceal their promotion of pornography and its profits? Indeed, those who defend pornography with cries of "censorship" are themselves the most implacable censors of all!

The Attorney General's Commission on Pornography held hearings in each of six cities across the country between June 19, 1985 and January 22, 1986. These hearings took place in large media centers: Washington, D.C., Chicago, Houston, Los Angeles, Miami, and New York City. The subject was timely, important, and controversial. The event was an official action of the U.S. Attorney General's Commission. The witnesses were dramatic and full of human interest—offering the very kind of eyewitness close-ups that the evening newscasts love to feature.

The witnesses included law enforcement officers, physicians, clinicians, psychologists, psychiatrists, social scientists, film producers, publishers, legislators—and victims. Yet, these hearings produced no network or wire service coverage of the victims. The giant news media in America closed ranks and did not report their testimonies. Most of the American public remained blissfully unaware of the existence of pornography's victims.

The full transcript of each day of hearings was soon available to anyone who asked for it. By the end of the hearings, the transcript ran to some three thousand pages of testimony. All publishers know that anything released by the government (except materials classified for national security reasons) is "in the public domain" and can be freely printed by anyone. But no one cared to publish the transcripts of these sensational testimonies and make them available to the public.

Was this censorship? *You bet it is! It was censorship of the worst kind because there is no alterna-*

tive source of the important information which the hearings provided.

The pornographers have propagated the notion that pornography is a "victimless crime." Pornography cannot be victimless because its very essence demands that a victim be subordinate. One cannot be an abuser unless there is an abused. Pornography portrays the past abuse, and pornography is a tool to facilitate future abuse.

In order to peddle the false premise that pornography is "victimless," the pornographers have tried to silence the cries of the victims. Over the years, this effort has been remarkably successful. The victims themselves are not eager to make themselves known; the truth is so embarrassing and often humiliating.

Then came the Attorney General's Commission on Pornography and, for the first time, victims had a platform from which to tell their eyewitness stories. Their testimonies revealed an open sore in our society.

That's why this book was published. Victims of a social disease of epidemic proportions are crying for help, and we believe that concerned citizens with compassion must heed those cries. We cannot allow the firsthand accounts of pornography's victims to become, like a tree falling in the forest, unheard by human ears.

It's not easy to read these testimonies. They are not pleasant or comfortable or entertaining. They are ugly and depressing. You won't like to ponder what is written here. But the crimes cry out for a

remedy—even though the victims are not all blameless. We cannot verify any individual acts, but, along with the Attorney General's Commission, we believe that these testimonies are typical of pornography's harm to individuals, to families, and to society. The evidence they present is corroborative and compelling.

The testimonies of these victims prove that—to borrow a phrase—pornography corrupts and absolutely uncontrolled pornography corrupts absolutely. These testimonies prove that pornography is addictive, and that those who become addicted crave more bizarre and more perverted pornography, and become more callous toward their victims. Pornography changes the perceptions and attitudes of men toward women, individually and collectively, and desensitizes men so that what was once repulsive and unthinkable eventually becomes not only acceptable but desirable. What was once mere fantasy becomes reality. Thus conditioned and stimulated by pornography, the user seeks a victim.

This book is published so that the testimonies of the victims of pornography will not be censored out of the public record by those who hypocritically cry "censorship." This book is part of the pursuit of truth which is the prerequisite to compassionate and constitutional public action to prevent others from becoming pornography's victims, too. With the poet we say,

> "Truth being truth,
> Tell it and shame the devil."

What Is In This Book

This book consists of selected excerpts from the Official Transcript of 3,000 pages of Hearings conducted by the U.S. Attorney General's Commission on Pornography in 1985 and 1986. Ten days of Hearings were held as follows:

Washington, D.C.	June 19, 1985
Washington, D.C.	June 20, 1985
Chicago, Illinois	July 24, 1985
Chicago, Illinois	July 25, 1985
Houston, Texas	September 12, 1985
Los Angeles, California	October 16, 1985
Miami, Florida	November 20, 1985
Miami, Florida	November 21, 1985
New York, New York	January 21, 1986
New York, New York	January 22, 1986

The Final Report of the U.S. Attorney General's Commission on Pornography was issued in July 1986, and published by the Government Printing Office in two volumes totaling nearly 2,000 pages.

The Hearings, however, were never published by anyone until this book. Selected excerpts are published in this volume in the public interest and as our contribution to the American people's right to know.

I.

Excerpts from

Official Transcript of Proceedings

BEFORE THE

ATTORNEY GENERAL'S COMMISSION

ON PORNOGRAPHY

DATE: JUNE 19, 1985

PLACE: WASHINGTON, D.C.

TESTIMONY OF

LOIS H. HERRINGTON

During the course of each task force, the President's Task Force on Victims of Crime and the Attorney General's Task Force on Family Violence, we listened to more than one thousand people in six cities throughout the United States. And since both those reports have been published, the Justice Department has sponsored a national symposium on sexual assault investigation and evidence preservation, and a symposium on child molestation.

Again and again, we heard evidence compelling another look at the relationship between pornography and violent crime, and our government's response to it.

We learned pornography has many facets. It can be the record of a crime being committed against children. It can be the depiction of women as sexual objects to be used, abused, and tossed aside. It can be an anesthetic, desensitizing people to the violence and sexual deviates in society, and it is a source of a multibillion-dollar industry.

Pornography victimizes both those whose abuse it depicts, and those whose abuse it provokes. We heard a number of alarming studies in this regard.

Law enforcement officers testified that analyses in Cleveland, Los Angeles, and Phoenix have

shown that sex crimes are higher in those areas where hard-core pornography is available.

We also heard testimony on the study comparing the number of reported sexual assaults and the circulation of pornographic magazines in the states. The evidence indicated a correlation between the two variables. The states with the highest reported sexual assaults also had the most subscribers to pornographic periodicals.

We were told about a study of the Michigan State Police which analyzed thirty-eight thousand sexual assaults from 1956 to 1979. It found that in at least 41 percent of those crimes, pornography was used or imitated just prior to or during the act.

We learned that when FBI researchers studied thirty-six serial killers, they found that twenty-nine were attracted to pornography and reenacted its lessons in their pattern of serial rape, mutilation, and murder.

I urge the Commission to review these and other studies and to determine their reliability and explain their meaning.

We have seen evidence suggesting a strong relationship between pornography and sex crimes committed against children. The Family Violence Task Force found that parents and other trusted adults who had wanted to cultivate sexual relations with children often leave pornography many times in their own home, exposing their children to preconditioned behavior. One kept the material in his son's toy drawer. You will hear of these cases, and they will stir you. They will outrage you, and they will surely compel you to action.

Another issue revealed during both task forces

was how the actual making of the pornography victimized its subject, and especially child pornography. It is a photographic record of a crime in progress, and that crime can devastate the life of a child.

We heard of a fourteen-year-old girl who was taken to Children's Hospital National Medical Center for attempting to commit suicide. She had been continually truant from school as well and when teachers asked her why, she revealed that her mother had forced her into pornography to supplement their family income. This child is now institutionalized.

Meanwhile, who knows what pedophiles are hoarding her photographs. We were told that child pornographers swap kiddie porn like business cards to establish their credentials with each other, so they feel safe in trading children. Molesters often use it to blackmail their victims, to coerce the youngsters into secrecy. They use it as a way to keep their favorite lovers forever young. That way when they reject, or in extreme cases murder their victims because they have grown up, they will retain a photograph as a memento of their experience.

Last May Congress passed the Child Protection Act of 1984 which strengthened prior federal statutes dealing with child pornography. It eliminated the burden of proving that child pornography is legally obscene. It deleted the requirement of a commercial transaction. It added criminal and civil forfeiture provisions. And it provided authorization for interception of wire and oral communications.

We have seen that good laws can get results. The executive office for the United States attorneys reports that for this fiscal year as of May, charges have been filed against sixty-eight individuals for child pornography; that is almost as many indictments as were returned for the previous six years.

Finally, I would like to say a few words about the sentencing of those who commit sex offenses against children. I have more specific knowledge, perhaps, of child molesters and child pornographers. The testimony has indicated a nexus between the two offenders.

Investigators said pornographic materials were found almost regularly as a result of search warrants executed on pedophiles' homes and automobiles. I urge the Commission to find out what penalties are being imposed on child pornographers throughout the states, because we found that punishment for pedophilia has been shamefully light. It is repulsive and perverted, but it is also a behavior of choice. We should continue looking for treatment, but in the meantime we must keep molesters sequestered from their potential prey.

I believe that the values of society and the seriousness with which we hold these values can be measured by the penalty imposed when these values are violated; using this standard, we have held our children in very low regard. One mother said, "The man who molested our little girl shattered our lives." She may never recover. He only served ten days in the county jail.

We must resolve to prosecute and sentence these offenses harshly, but we must also take the

initiative to prevent them from occurring in the first place.

Contrary to the popular stereotype, the child molester is not a stranger wearing rumpled raincoats and passing out candy to children on street corners. He is a generally known and trusted and loved adult who has cunningly sought employment with children to ensure a steady source of victims. Many people who truly love children want to be their teachers and their coaches and their school bus drivers. But unfortunately, so do those seeking to exploit a child's unquestioning love to satisfy their perverted sexual urges. The office for victims of crime in the Department of Justice was working with the American Bar Association on a model statute for states that would permit public and private employers of child-related fields to know if an employee or volunteer had a history of sex offenses, including pornography.

It is your mission to open the public's eyes to a problem that many people have preferred not to see, but see it we must. Pornography is not a victimless crime.

TESTIMONY OF

SHARON

I want to thank the Commission for allowing me to tell my story on the adversity of pornography on my daughter's life and mine.

I met John in 1968 when we were both stu-

dents. I received my Bachelor of Science in education, and John received his Doctorate of Dental Surgery degree. While John and I were dating, I noted that he had a large supply of pornographic magazines like *Playboy, Penthouse,* and others. Several times John asked me if I would consider posing nude. I said no. He then asked how I felt about posing nude with a man in sexual poses for a movie. I told him I would never do anything like that.

We were married in 1969, and he began his dental practice. I then became acutely aware of John's fixation with pornographic material and the fact that he was increasingly selecting and focusing on all kinds of pornographic material like *Playboy, Penthouse, Oui, Hustler, Forum,* and others.

He would leave this trash all the time scattered throughout the house. Later on when we had a housekeeper, she was forever removing this material from every room in the house, only to have it reappear after John walked through. He seemed fascinated with the lesbian and masturbation poses in these magazines.

We then lived in a very small, conservative community. Yet after church on Sundays, he would go to the local stationery store and stand there looking at this material in front of the whole community. John was a very ill person who did not demonstrate any true affection to me or to anybody else. He tried to manipulate people and gain their confidence. All his relationships were superficial.

Our relationship began to deteriorate, and John became more and more focused on pornographic material. I told John that I found this ma-

terial repulsive and a turnoff. His response was that I needed sex outside of our marriage. About every six months, he would suggest that I try different sexual experiments—from interracial sex, group sex, and sex with other men, to sex with other women. I refused to comply with these requests.

Every little problem became sexually related. If I burnt the toast it was because I was frigid. Everything revolved around sex for him.

John would sit watching television and reading these pornographic magazines with my two-and-a-half-year-old daughter and me in the room. John would then unzip his fly, remove his organ, and begin manipulating it. I was frightened by his behavior and was really fearful of the influence this behavior would have on our daughter. He began to call our daughter's attention to his private parts, calling his organ a snake.

John would insist on taking baths with our daughter, and I thought it was John's way of asking for the love and affection that our daughter was getting. Frequently when I was sitting on the toilet, John would come into the bathroom and urinate into the sink, even though there were three bathrooms in the house.

At that time, he began asking me if he could urinate into the toilet with me sitting on it. I absolutely refused and began planning my escape.

I took note of how John couldn't be without his pornographic material. He also increased his insistence that we participate in interracial and group sex. He constantly wanted to affirm his own virility and use pornography as a means of verifying that virility through fantasies. At that time John was

physically abusing me by pulling my hair, slapping me, kicking me, stomping on my feet. If I served something he didn't like, he would throw it, dish and all, across the room into a sink. He convinced me that I was incompetent and that he was a valued member of the community.

In November 1979, John was planning a trip to the islands, and I was planning my escape. Approximately two and a half weeks before I left, I was changing my baby's diaper on the floor and went to the next room to get some ointment. When I returned, I found John with his hand on our daughter's pubis in an obscene and improper manner. I told John to stop, and he became offensive, belittling me for thinking he was doing anything improper. I knew then that I had to escape from John and was successful in my plans.

Since our divorce, I have learned the following things about John. Although my family has been supportive, it has been a physical, financial, and emotional drain on us. John is fixated by all forms of pornographic material. He has molested ten of his patients. He does this by turning his nitrous oxide up to three times as much as is normal and safe. Then he asks the nurse to leave the room, and touches their breast or groin with his hand. John has molested our daughter, and I have produced evidence of this, but the state's attorney's office won't prosecute, because she is too afraid to tell the police what happened. John is now allegedly married to another woman who has a twelve-year-old son. In 1983, John took our daughter on vacation with his new family. While on that vacation, this

boy made sexual advances toward my daughter.

I saw a man whom I cared for deteriorate over a period of eleven years. I saw pornography that is sold at a lot of the convenience stores come to dominate—the only real influence to that man's existence. I am not talking about the kind of pornography that is sold in those kinky little sex shops. I am talking about magazines that are sold in local convenience stores. The pornography John collected and was obsessed with was *Penthouse, Oui, Hustler, Playboy,* and lots of others whose titles I can't remember.

Chairman Hudson: Sharon, thank you very much. Dr. Dennis M. Harrison, we'd appreciate your testimony at this time.

Dr. Harrison: Thank you. I come before you today as a fellow of the American College of Forensics and Psychology and as a psychologist who has practiced as a private practitioner for eleven years.

I want to give you some background information on the lay witness you just heard. Her story is unfortunately too typical of many others in our country. Secondly, I want to share with you my professional observations about sex offenders, some of their emotional dynamics, to help you assess any possible connection with their use of pornography.

Sharon first came to me seeking me to evaluate her daughter, a four-year-old child. Because of a number of reasons, including high emotionality, I was somewhat skeptical of her story at first. It was hard to believe someone could be given the run-

around that she was receiving. I soon learned that she was a sincere person who deeply cared about the safety of her daughter.

There was overwhelming evidence Sharon's husband had sexually molested her daughter. The child had told a number of professionals in detail the games her father played with her and how he touched her vaginal and anal sections. She displayed all the emotional problems children go through. In my home and office, she shoved items in the crotch of her doll and showed behavioral changes and fear of visiting her father. There was fear that she could contract some type of venereal disease also.

However, because of the father, and court proceedings were taking place before the only judge in a rural county, those in authority who could help this mother and child, either from a clinical or legal viewpoint, turned their backs on her and took advantage of her for quite some time.

After I entered the case and presented the results of my psychological evaluation, as well as research on child sex abuse and children's reactions to it, the judge did force the father into counseling under my supervision. The court-ordered goal of this treatment was not to deal with problems of sex abuse, but rather as a preamble to forced visitation.

Months into counseling and after a tense session with Sharon, her husband and the respective therapist participating, the father hid in an office bathroom and returned to confront his therapist in her office. He then sexually assaulted her as a "cure," in quotes, for her problems. Even though the therapist was not raped, the sexual assault was

so traumatic that it affected her both professionally and personally for quite some time, and this was a woman who was well trained and experienced in working with sex offenders.

Out of fear, this doctor refused to prosecute. This vignette gives you an idea of the very strong emotions and forces at work within the psyche of the sex offender and child molesters, and the power they have over their victims. This took place over four years. Sharon and her family spent over $40,000 in legal fees, were in seventeen court hearings, and were still unsuccessful in getting out of the jurisdiction of this one judge. After another court hearing with evidence of another doctor that basically agreed with me, the judge said that the father was a sexual abuser of patients and would not be germane to custody provisions. Sharon is powerless to stop legal visitations.

As you may tell, Sharon has come a long way emotionally. She comes to you today certainly not emotionless, even though her statement may sound emotionless because it was read. Quite the opposite. She is filled with intense emotions of pain, anger, and fear. I can assure you what she has to say to you is true. I can say this because I evaluated the father, child, and Sharon herself, and have worked in therapy with all three of them. I suspect that what she remembers about the bizarre sexual behavior and sexual requests of her husband have been tempered by time, and as you hear them they may be understated; certainly they are not exaggerated.

TESTIMONY OF

PATRICIA FOSCATO

Today, as we examine pornography in America, I will be sharing with you my observations as a certified social worker in the State of New York, as the coordinator of the sex abuse prevention project for St. Anne's Institute, Albany, New York, and as a private-practice psychotherapist.

As you know, the fight against child sexual abuse rages on. Meanwhile, all across the country our colleagues wonder if treatment truly assists the offender, victim, nonoffending spouse, and other family members in healing from the devastating problem. Research is limited. Knowledge is not.

The following data is reflective of four years of experience and intake processing and assessing and in treating families troubled by sexual abuse. We have directly treated two hundred and fifty male and female victims between the ages of three and eighteen, seventy adult sex offenders, eighty-five nonoffending partners or spouses, forty juvenile offenders, and seventy adult survivors, male and female. We have conducted the following diagnostic assessments: three hundred child victims, ninety adult sex offenders, one hundred nonoffending spouses or partners, forty-six juvenile offenders, and seventy-five adult survivors.

Eighty percent of these sex abuse cases have involved incest families. I am prepared to speak on the issue of incest and its connection to pornography. Incest is described by experts as a symptom of emotional disturbance—a symptom of a much broader level of dysfunctioning within a family.

Bonnie will be telling her story when I am done far better than any professional could. Her family's struggle is characteristic of a normal family stunned by the disclosure of four years of incestuous behaviors by a parent. Furthermore, this family represents the success of treatment and the failure to recognize how adult and child pornography permeated this family's life.

Approximately 40 percent of the incest families I have evaluated or treated mentioned pornography as a concern, either to the legal authorities during the investigation, at the assessment, or during the course of treatment. Until six months ago I never inquired further, and I wish I had.

Bonnie and her two children, Michelle, age eleven, and Debbie, age thirteen, have taken a risk coming here today. Paul, their stepfather and a pedophile, is a very influential member of their community in New York State. Most of the attorneys available for divorce cases knew Paul and disbelieved the charges of sodomy first; sexual abuse first, two counts; assault third, two counts; and endangering the welfare of a minor, two counts. The sexual abuse ranged from exhibitional fondling, masturbating, sexual harassment regarding their underdeveloped body parts, physical beatings, and pressure to view adult and child pornography.

Many professionals believe that nonoffending partners are blindly responsible and should have known how to detect child sexual abuse. I believe all of us, including professionals, have found that the possible relationship between pornography and incest is too incredible to believe. The incidence of pornography and incest mutually occurring is

certainly much higher than any of us would have predicted. We all need to look.

Michelle, the eleven-year-old, experienced more touching. Debbie was victimized more through sexual harassment. Which is worse? Treatment for the entire family, which lasted one year, included a combination of group, family, and individual therapy. Why do I believe these children are healed? Prior to and as a result of therapy, Bonnie took protective measures throughout their lives. Specifically, she placed them in foster care when she was fighting for their safety. She consistently taught them right from wrong. Subsequently they often successfully repelled Paul's sexual advances.

Is Paul safe now? Is therapy successful for him? All of us have lingering doubts. There is a far less chance that he will reoffend. His powerful position in the family and the community worked against the children initially. That same public and powerful position now protects them, in that his crimes and confessions are on record. And he will never really know for sure if his colleagues think he was innocent. Particularly since, in the last five years since his arrest, more people have become more educated on this topic and realize that this does occur with people of his standing in this community.

Bonnie: I am the thirty-one-year-old mother of two daughters, Debbie, age thirteen, Michelle, age eleven. My daughters were sexually and physically abused by my second husband, Paul, for approximately three years. I was also physically and sexual-

ly abused by my first husband, Leon, who was a homosexual, and by Paul.

Pornography, both hard-core adult and child pornography, appears to have played a significant role in the prolonged periods of sexual abuse and the resulting family trauma.

My first husband, Leon, obtained a substantial collection of pornographic material. When I was married to Leon, my daughters' natural father, he was always a very violent man. He could not perform sexually with me without first getting aroused by looking at pornography. Most of the magazines consisted of either homosexual couples or small children in various acts of sex and violence. Often he would be high on drugs or alcohol and force me to do violent sexual acts while he was leafing through the pictures. Once when I went to bingo across the street with my mother, he tied both of my daughters to their beds on their stomachs and put his finger into their rectums. When Debbie and Michelle told me, I believed them immediately because Leon had done the same to me before. When I left him to get a divorce, I sought aid from the "Domestic Violence Unit." When I told them about the sexual abuse Leon did to his daughters, they were either frightened or didn't believe the prospect of a man sexually molesting his daughters; so in the divorce complaint this never was mentioned, just the physical abuse.

I married Paul in 1980. He promised me and my daughters he would be a good husband and father, as I was leery of getting remarried so soon. He said he would take care of all of us, and the

prospect of that security and the chance to be happy prompted me to marry him. I married Paul because he promised to give my daughters and me a chance to be happy, have financial security, and for my girls to have a father.

Paul had a large collection of bizarre S&M and bondage pornography that he kept in the nightstand drawer in our bedroom. On one occasion Paul tied me to our bed and sodomized me. This occurred after I refused to agree to be bound and tied as the models appeared in some of Paul's pornographic magazines. Many times I would be asked by Paul to accompany him either to an X-rated porn movie or one of the adult book stores. I would vehemently say no. He often requested me to either pose nude in a very obscene way or asked me to look at his porno books. Many times he would show me pornographic pictures and say, "Why don't you do this?" or "Pose like this."

The molestation of my daughters occurred whenever I was out of the house. It was about one month after we were married that he started physically abusing Debbie and Michelle. At that time he also started "tickling" Michelle on or near her genitals. To Debbie he would make crude remarks about her body parts.

The molestation of the girls occurred in the bathroom, bedroom, or car normally, but Paul was bold enough to molest them in church. I feel that the bathroom molestation can be linked to some of the child pornography that Paul possessed which depicted young nude females in bathtubs in sexually provocative poses. My daughters told me that

Paul asked them if they wanted to pose like the girls in the magazines and to be photographed. Also, the girls told me that Paul sometimes played a game with them in which their feet were tied up tightly with a rope.

The molestations included "bad touching" and exhibitionism by Paul, but did not involve actual penetration. Debbie and Michelle recalled Paul showing them a picture of "a naked lady dressed in the bottom of a leopard skin and holding a whip" and asking them what they thought of it. Both children said they were disgusted at viewing the picture. As time went by and Debbie started maturing sexually, Paul often teased her, using very obscene language. Also, whenever Debbie was bathing or if she or Michelle were in the john, he would just walk in. I fought many times with him about this and requested that locks be put on the bathroom door, but he refused all the time. I never suspected that anything sexual was happening.

I reported him several times to Child Protective Services for physical abuse. Whenever I would have to leave the house on an errand at night or on his days off, or go to bingo with my mom, he would insist on my leaving both girls home. When he would pick me up at bingo to go home, Michelle would be curled up in a fetal position in the backseat of the car. If I questioned either her or Paul about what was the matter, Michelle would look scared at Paul and say, "Nothing's wrong, Mommy." Paul would usually say she was "naughty—isn't that right, Michelle?" Michelle would nod "yes, sir."

I feel that Paul was obsessed with pornography

and violence. His magazines ranged from the kinky violent pornography to the child pornography that was periodically shown to my daughters.

When I reported Paul to the authorities, my problems continued. Although immediate action was taken and Paul was removed from the house within four days, the criminal justice system fell short in accommodating my needs and those of my two daughters. Paul was, and still is, a prominent businessman in the community. Because of his status, I had difficulty obtaining a lawyer to represent me. The case was submitted to family court where the judge was a college friend of Paul's. Incredibly, the case was dismissed because the judge didn't believe that Paul could do such a thing to his stepdaughters. In criminal court, things fared slightly better. Paul was put on probation.

But the damage has been done. My beautiful daughters are very wary and fearful of men now, and Michelle still suffers from headaches, nightmares, and doesn't like to walk anywhere alone. I am afraid to even date anyone. I find it very hard to be able to trust most men. On the outside, Paul seems like any typical businessman, well-dressed and clean-cut. But I wouldn't want to be the next woman to marry him. Both Debbie and Michelle say quite often they don't want to get married or date when they are old enough. They are still very frightened of men. Paul should have spent time in jail. I think then he would have realized what he did and be punished for it.

TESTIMONY OF

SARA WINTER

I was forced into prostitution at the age of thirteen. I was one of many girls who ran away from home during the sixties. My only sexual experience prior to this was sexual experimentation with a boy my own age. I had also been sexually abused when I was twelve. The first night I was away from home, I was raped. The second night I ran away from home I was gang-raped. The third night I was wandering around the streets in a daze when I was befriended by a man.

I confided my problems to him, and he wanted to take me in. During my stay with him, he treated me relatively well. He was kind to me, he fed me, he said he cared about me. He also kept me drugged and took nude photographs of me. After a few weeks he sold me to a pimp. I didn't realize this at the time. He had introduced me to another man, a pimp named Bob. Bob made one attempt at seducing me. When I resisted him, he raped me and told me I would work for him as a prostitute.

During my initial involvement with him, he stole my identification, jewelry, and clothing. I was repeatedly beaten and raped. He threatened my life and the life of my family. Alternately he threatened to contact my family and to tell my mother I was a prostitute, or turn me over to the authorities, who he said would lock me up until I was twenty-one. The scandal, he said, would destroy my family. I believed him.

I know now that I was totally traumatized by my imprisonment, rapes, and the beatings. He to-

tally controlled every aspect of my life. He even dyed my hair and changed my appearance. I never had money; he bought the food I ate and the clothes I wore. I was never out of his sight, except when I was working and then he wasn't far away.

This type of imprisonment is not uncommon. It happened to other women I have come in contact with. It also happened to Georgianna. She described this in detail in her autobiography. Sometimes when a pimp would take me to a bar where other pimps would show off their women, we weren't allowed to speak to each other, but we were allowed inside. On each occasion one of the women would be totally humiliated and beaten for some imaginary infraction of some unspoken rules or because her pimp decided she had a bad attitude. We were traded from pimp to pimp. The pimps would use us to pay off debts to each other. We were also abducted off the streets or at gunpoint. A woman who was stolen this way could only hope that her abductor would keep her. To escape was to be fair game to be taken by an even more brutal pimp.

A worse fate awaited a woman who was recaptured by her original pimp, who would savagely punish her for running away with a man who in reality had kidnapped her. I tried on many occasions to escape my first pimp. As an adolescent without any resources, isolated from my family and believing that I was a hardened criminal, it wasn't hard for my pimp to track me down. Each time I escaped, he would forcibly bring me down to his apartment. He would drag me through streets, restaurants, and taxis, all the while beating me while I protested and cried with cries of help. No one

wanted to get involved. "Childen of the Evening" described similar stories of children forced into prostitution.

The men who bought me, the tricks I saw, were prominent in the field of entertainment and in our government. Most of them were in their fifties and sixties. They had daughters and granddaughters my age. They knew a child's face when they looked into it. It was clear that I was not acting of my own free will. I was always covered with welts and bruises. They found this very distasteful and admonished me about it. It was even clearer that I was sexually inexperienced. I literally didn't know what to do. So they showed me pornography to teach me about sex, and then they would tell me to act like the women in the pictures, and used me.

One of the men I saw regularly had a vast collection of both adult and child pornography. These included a series of photographs of two children. He claimed they were the children who had been kidnapped and subsequently killed in what was called the Mooresburg kidnapping in England. He had video equipment in his home long before it was mass-produced. Every time my pimp would see him, he would point to pornographic pictures of me and a second woman. He also made videotapes of the sex that took place under his direction. This continued on the average of once a week for about a year.

My pimp also made me work stag parties. These parties were attended on an average by ten to twenty men. The party consisted of men viewing a series of pornographic films. Afterwards another woman and myself would have to have sex with

men. These parties took place in public places, catering halls, bars, and union halls. I was also forced to work conventions. These were weekend affairs held at major hotels in New York, attended by hundreds of professional men, doctors, lawyers, et cetera. The series of events was the same. Pornographic films were shown, followed by myself and the other women having sex with men. The films that were shown set the tone for the types of acts we were expected to perform.

There was an apartment on the west side of New York that I was sent to often. There were usually two to three men there. After I had sex with them, they would take pictures of me in various pornographic poses. When I was a young girl, I didn't have the vocabulary to call them pornographers. I used to refer to them as photographists.

It was only in retrospect as an adult that I realized that the studio apartment furnished with a bed and professional photography equipment was, in fact, an illegal pornography production firm.

On another occasion, another girl and myself were taken to an apartment in New Jersey to meet some men. We were told that they were gangsters and we should be nice to them. When we arrived, we were taken into a room that had a large set served by lighting and filming equipment. We were told to act out a lesbian scene.

After fifteen minutes, we were told to get dressed and we returned to New York. Again, it was only later that I realized that I had been used in a commercial or prepared film mode.

A lot of people assume that women and girls

like me who were used in pornography consent to this humiliation and abuse, but consent is based on freedom of choice, and I was being kept in slavery by a pimp. I don't think that consent was a possibility for a girl who was delivered into the hands of organized crime figures in New Jersey in the dead of night. Others might want to ask why I didn't turn to the police for help. As a matter of fact, I didn't have to walk all the way to our local headquarters to speak to the police. They were at our apartment every week for their payoff: me.

When I was sixteen, I was sent to juvenile detention by the courts. My incarceration was a nightmare of sexual abuse at the hands of the male employees of the facility. One young girl complained to her parents about that on visiting day. That night after they left, she was made an example of. We heard her cries and pleading all night long. The official story the next morning was she had tried to run away, was caught, and was being held in isolation.

I was sexually abused again while I was there. Soon after, I was transferred to a facility upstate. When I saw my opportunity, I escaped. It was clear to me at the time that the social service community was unprepared to protect me, and the authorities not only wouldn't, but were also my exploiters. There was no place for me to go back to, except prostitution.

My last pimp was a pornographer and most brutal of all. He owned three girls or women at any given time. There was always pornography in our apartment. Every night we would set up a screen

and run a series of stag films. Then he would become aroused by that. It would always follow horror films. He would use it to teach them.

In retrospect the only sex I knew until I was into my twenties was coercive sex taught to me by women coerced into pornographic services. It was clear to me that, in the five years I was in prostitution, all women were systematically kept in prostitution in the same way prisoners of war have been starved into compliance by their captors. The difference is, prisoners of war are not held accountable for statements or acts, but when a woman is held by coercion, for use of pornography, she is held responsible.

This pimp made pornography of all of us. He also made tape recordings of us having sex with him and recordings of our screams and pleadings when he gave us brutal beatings. It was not unusual for him to threaten us with death. He would later use these recordings to humiliate us by playing them to his friends, for his own sexual arousal, and to terrorize us or other women he brought home.

One morning I came in from working all night to find the walls of our bedroom literally covered with blood and a semiconscious woman lying on the floor covered with bruises and welts. Her eyes were swollen shut, and there was blood running down her legs. My pimp had brutally raped her with a broom. I was told to guard her so she wouldn't escape. When he fell asleep, I freed her. I paid dearly for that. He beat me with a riding crop and raped me. He made a tape recording of that entire evening and delightedly played it for us over and over.

The way this man got women into prostitution was to advertise in the newspaper for models. When girls and women answered this ad, he would offer to put them in a folio for free, to be their agent, to make them so-called stars. It was an easy next step to convince them to pose for soft-core porn. Magazines like *Playboy* made this legitimate. At that point he would befriend them and engage in a love affair and smooth-talk them into prostitution. Just long enough, he would say, to get enough money to finance her career as a model. If the sweet talk didn't work, brutal beatings, starvation, captivity, and blackmail did. She became one of us.

Kathleen Berry's book *Female Sexual Slavery* is a well-researched documentation of domestic and international trafficking in women. She describes in great detail the seasoning of prostitutes by pimps. This is similar to the method I have just described.

By this time it was impossible for me to separate the pornography from the prostitution. The acts are the same; only with pornography, this is a permanent record of forced sex, and the pornography could sell me over and over again. I could never escape. Even if I died, the pornography would live on, and men may continue to buy and sell me to each other for sex and profit. Even worse, they can use pictures of my abuse to hurt women the same way.

It's hard for people to understand the connection between pornography and prostitution. It is my experience that pornography and prostitution are two sides of the same coin, that pornographers and procurers are not just cousins, they are brothers. They are both exploiting women and children.

They are both pimps. Pornography is not crime against sex. Pornography is a crime against real women like me who suffered real injuries to their bodies and to their minds.

I escaped prostitution quite by accident and became a woman again. I had been taking drugs throughout the time I was in prostitution and pornography. They had been supplied and doled out to me by my pimp. I accepted them because they helped my physical and emotional pain. As I destroyed myself with heroin, I was no longer useful to pimps for tricks; so I was then set free. So in between the ages of eighteen and nineteen, after five years of prostitution, I was penniless, homeless, and addicted to heroin. My thighs are permanently scarred from the repeated beatings with wire coat hangers, and as an adult I learned that I had contracted venereal disease because my pimp forced me at age fifteen to have tricks.

I was in my early twenties when I kicked the heroin habit for good. A few years later I met and married my first husband. In short, the relationship was hell. He was an alcoholic and a bad one. The tone of my relationship was frighteningly like my life in prostitution. He couldn't hold a steady job, so I supported us. He would fly into rages and beat me mercilessly. After the beatings, he would demand sex.

Pornography was in the house all the time. The current issue of *Playboy* and other soft-porn materials were ever present in our home. Once he insisted that we go see an X-rated movie at a theater that showed pornography exclusively. I remember

feeling humiliated and frightened while being the only woman in the room while the men sat openly masturbating. I kept my eyes glued to the screen and prayed for it to be over soon. When we got home, he demanded sex.

My husband had very low self-esteem; people felt sorry for him. He died before his twenty-fifth birthday in a drunken car accident. Just a few months ago I learned something that explained his low self-esteem, his alcoholism, and his avid consumption of pornography. I saw a picture of him as an adolescent child in a pornography display in Women Against Child Pornography.

The law does not take into consideration women and children who have been hurt in a very direct way. The men for pornography argue that the Constitution guarantees them the right to be free to make the choice of so-called reading material. The pornographers argue that the Constitution guarantees them a right to have a profit from pornography. The ACLU protects both these groups of men by arguing that to do anything about pornography is to take away both the freedom of expression and the freedom of sex. They argue that to take any action on this issue is to undermine the Constitution, that it would have a chilling effect and would put the First Amendment in jeopardy.

I want to know when the government is going to listen to women like me, when it is going to be concerned about my civil rights. I want to know what good the First Amendment is to women who are victims of pornography, and why no one is suspicious of the motives of men who profit from the

sexual abuse of children, and why, when women like myself stand up, people defend these rapists, pimps, and profiteers and not women like me.

My concerns are not those of the church and other so-called guardians of public morality. I have no interest in supporting current obscenity statutes nor in strengthening them. They have not put a dent in the pornography industry, nor do they address the harm posed to women. My concerns are those of women like myself who have been hurt by pornographers and their business.

I would also like to address the Commission on its decision to allow the pornographers and the ACLU to give their opinions at these hearings. Giving these men a platform to pretend that what happened to me was merely speech, an idea, and not a reality, is in effect to allow my abusers and their spokesmen an opportunity to testify against me. To justify this decision in the name of fairness is to imply that I had a fair chance, a choice to stop my victimization. This was not true. I did not have an ACLU attorney to argue for my civil liberties with my pimps. I resent that they have been given a platform to argue.

In closing, I would like to tell you that most women who have shared my experiences are not as fortunate as I am. It took me close to twenty years to undo what was done to me in pornography and prostitution.

But there still exists the pornography, I know the men who made it, I know where they are, and I know that there is nothing I can do about it. I live knowing that at this time it can surface and be used to humiliate me and my family. I know it can be

used to ruin my professional life in the future. I know that, because some of it was produced within months after my eighteenth birthday, this is protected under current law. Because pornography is a profitable $8 billion a year industry, I also know what happened to me will continue to happen to other girls and women like myself. They will continue to be used and hurt in the way that I was used and hurt by pornography; and if they should be fortunate enough to escape like I was, then they will live under the same threat of exposure and blackmail that I did.

TESTIMONY OF

DORCHAN LEIDHOLDT

I would like to thank the Commission for inviting me to testify on behalf of Women Against Pornography. Women Against Pornography is a national New York City-based feminist organization. Our group was founded in 1979. It currently has a membership of over ten thousand people. We are part of a network of feminist groups fighting pornography around the country. This network includes Feminists Against Pornography in Washington, D.C.; Men Against Pornography, New York City; the Women's Alliance Against Pornography, Cambridge, Massachusetts; the Pornography Resource Center in Minneapolis, Minnesota; the Task Force on Prosecution and Pornography in Madison, Wisconsin; Lincoln Women Against Pornogra-

phy in Nebraska; and Los Angeles Women Against Pornography.

Our fight against pornography is also a fight against the legacy of the 1970 report of the President's Commission on Obscenity and Pornography. As everybody in this room is well aware, the Commission concluded that pornography is harmless. The reason for their conclusion was simple. Women were invisible to the Commissioners.

What the 1970 Commission did see and believe was the image of women created by the pornographers. It is an image accurately described by pornographer Armand Coppins in *Memoirs of an Erotic Bookseller:* "Even though used by a chain of men in all available orifices, the erotic heroine remains fresh, desirable and ever ready for more."

This quote appears in an enthusiastic defense of pornography published as a preface to that book. This is the illustrated Report of the Presidential Commission on Obscenity and Pornography. It is sold for $12.50 in stores that sell pornography. Its introduction was written by Dr. Monroe representing the American Civil Liberties Union. Amid his praise for the Commission's majority report, the director of the Southern California ACLU makes a telling statement. He says: "My legal analysis has concerned the rights and constitutional issues pertaining to those who produce and distribute sexually-oriented material. On the other side of the coin, there is the person who wants to obtain it. He has rights too."

Conspicuously absent from the ACLU director's discussion of rights is the human being bought and sold by the men represented on either side of

his coin. She is, however, conspicuously present throughout this volume. Page after page is illustrated with photographs of women chained up, whipped, and penetrated in every orifice by objects, and penises of men, horses, donkeys, dogs, and pigs.

Many of us who have been trying to understand how the 1970 Commission failed to see the harm of pornography, concluded that pornography must have looked dramatically different in 1969. This book shows that we were wrong.

What really happened was that, like the ACLU director, the 1970 Commission bought the pornographers' image of women and consequently they could not see the humanity of the women in the pornography. They looked at photographs documenting human beings being used and violated and beaten and chained up, and they didn't see exploitation, coercion, and torture. They just saw women doing what women are supposed to do. They just saw sex.

The Commissioners did see the consumers of pornography. They described them with great precision in their report: "Predominantly white, middle-class, middle-aged, married males dressed in business suits or neat casual attire." They didn't see the wives, daughters, and female coworkers and employees of these men. They didn't see the married woman whose husband collects bondage pornography, forces it on her, and demands that she enact scenarios. They didn't see the girl whose father eyes her developing body in the same way he eyes *Penthouse* pets. They didn't see the secretary whose boss subscribes to *Playboy's* philosophy. The

Commissioners didn't see the impact of pornography on women as a class. They didn't stop to think what kinds of attitudes and acts this adult sex education was actually teaching men. They didn't understand that the materials they exonerated conditioned men to experience sexual arousal at the denigration and abuse of women.

They didn't see that the women portrayed in the pornography represent 52 percent of the population. They didn't understand that pornography sexualizes bigotry, that it promotes rape, battery, and incest, that it threatens all women's safety, that it kills our self-esteem, that it silences our voices, that it thwarts our potential, that it closes down our opportunities, that it circumscribes our lives.

They didn't understand that the production of a group of people as things to be used for sex violates their rights and civil liberties. They didn't see that pornography institutionalizes women's second-class status.

Imagine a Commission assigned to study segregation that didn't see blacks. This one studied pornography and didn't see women. The 1970 Commission got one thing right. They saw the ordinariness of pornography, its normalcy. However, the conclusion they drew from their observation was all wrong.

The Commission saw the pervasiveness of pornography as an excuse for complacency and passivity, not a cause for concern and change. They understand that pornography is consistent with community standards, but didn't stop to think what it means for women that the standards of the communities we live in are consistent with pornography.

They didn't comprehend that pornography doesn't just reflect these standards. It perpetuates them. The Commission didn't understand that foremost among these standards is the valuation of women as subhuman and second-class.

In 1970, when the Commission published its report, experts put the traffic in pornography at between $500 million and $2.5 billion per year. In 1977 that figure was $4 billion a year. By 1984 it had doubled. In 1984 pornographic cable TV services had over two million subscribers, and dial-a-porn received 3,500,000 calls a week. Technological developments have meant a vastly expanded market for pornography, but more and more is directly transmitted into people's homes. The home is the most frequent site of the sexual abuse of women and children. Think about the implications.

What can be done to change this situation? Some people think that antiobscenity and antidisplay laws are the solution. But there is a major problem with this legislation. It misidentifies pornography's harm as offensive to people's sensibilities instead of as an injury to people's status and lives. Obscenity laws hide the pornography in the very places where women are most likely to be hurt by it: the brothel and the home. They make pornography appear illicit, a pretense that intensifies its appeal. Zoning laws said pornography is okay as long as it's kept in its proper place. Usually that place is a neighborhood for poor people.

Some psychologists I know believe the answer is education. They found that Women Against Pornography slide shows are capable of sensitizing sub-

jects who had been desensitized by pornography. Others favored a more activist approach: pickets, sit-ins, and protest marches. Having spent six years in a vast movement against pornography that has had only these tools to work with, only to see the industry double its size and profits and human casualties, I strongly believe that education and private action alone are not enough. The only way to overcome this barrier to women's equality is through legislation that identifies pornography for what it is: the practice of sex discrimination.

I would like to submit to the Commissioners the following material which analyzes pornography's harm and proposes a legal remedy. The transcript is three days of public hearings before the Minneapolis city council, "Pornography: Men Assessing Women," by Andrea Dworkin, four *amicus curiae* briefs, and two essays by the authors of this ordinance.

I am going to now show Women Against Pornography's slide show and run through the slides pretty quickly. I would like to point out that over half the slides come from the three best-selling men's entertainment magazines—and "men's entertainment" appears on the cover of those magazines—on *Playboy, Penthouse,* and *Hustler.*

Earlier today Senator Arlen Specter felt that there was not substantial evidence of a causal connection between pornography and the sexual exploitation of adult women. This adult pornography that you are going to see is that evidence, along with the testimony of the women we have heard. [Here Ms. Leidholdt began her slide presentation.]

This is an advertisement for a publication

called *Variations,* which is produced by *Penthouse.* This advertisement appeared in *Penthouse.* It makes the basic dynamics of the pornography very clear. Pornography is about power, power over women. It is about domination and subordination. Pornography eroticizes inequality. In this instance, pornography is eroticizing slavery. In pornographic pictures, we very rarely see the woman's face. She is simply an object, a thing to be used. Her identity doesn't count. We don't have a sense of a human identity. This is typical.

This is a cartoon from *Playboy.* Pornography says that women embrace, enjoy, like, seek out, and deserve abuse, humiliation, degradation, and inequality. Pornography says we want this kind of treatment.

Here are two photographs from *Penthouse.* The woman has been chained up like an animal or a slave. These are all from recent issues.

I included this photograph (which is not from *Playboy, Penthouse,* or *Hustler*) because it shows how in the pornography industry actual women are actually hurt. Very often in our work against pornography we find photographs in which you can clearly see that the models have been horribly abused in the making of the pornography. Their bodies are covered with lash marks, welts, bruises, and cuts. It's hard to tell if this woman is conscious or not.

This is an example of bondage pornography. Interestingly, the text of the First Amendment appears on the cover of this pornographic magazine. The idea is that to use this woman in this way is some pornographer's First Amendment right.

In pornography racism and sexism go hand in hand. Pornography sexualizes racism. It fosters racist stereotypes about women of color in particular. The most frequent way that black women are portrayed in pornography is as castrated dominatrixes. This turns the tables on the real experience of black women in our society, which is, black women are the most frequent victims of sexual violence. Pornography says they are the victimizers. They set women up for that. Put that black bitch in her place before she does something to you. Sometimes black women are presented as slaves. It evokes the reality of black women's lives under slavery.

You will notice black women bound, gagged, and loving it. Over and over again we have the message that this is how these women want to be treated, that this is pleasure for them, that this is their fulfillment.

You have seen this cartoon from *Hustler* earlier. The little Jewish girl has a star of David on her chest. If it weren't for the baseball bat, this photograph, this cartoon, might have been made by the Third Reich. It looks just like the propaganda produced then.

Asian women appear in the most violent pornography. There is a reality behind this. During the American involvement in Southeast Asia, Asian women were used to service American servicemen. When the war was over, they were shipped to brothels throughout the West. They are used in this pornography. They are also used in massage parlors. They are an especially powerless group of women, many of whom don't speak English, many of whom don't have green cards. This is the por-

nography of torture. This is from *Lotus Blossom.* It has picture after picture of Asian women tied up, hanging from light fixtures, hanging from trees as in this instance.

This imagery and treatment—it's important to point out this is the actual use of a real person—this is torture. This is the documentation of torture, which also appears in the best mainstream, best-selling "men's entertainment" magazines. This is from a 1984 issue of *Penthouse.* It's part of a whole series that appeared in *Penthouse* that showed Asian women being tortured.

Pornography has adapted to obscenity laws. The "men's entertainment" magazines have articles like these so they won't be prosecuted for obscenity.

The bottom line of pornography is that women aren't human beings. We don't deserve equality. We are objects, animals, things. That is what this image of woman in *Playboy* is all about.

This is from *Penthouse* magazine: women chained up like dogs with dog collars and leashes. This photograph from the March 1983 issue of *Hustler* magazine shows a woman chained up like a dog. This is part of that series of photographs in *Hustler.* You will notice her labia has been pierced and there is a ring through it.

One of the things that we are hearing from people who work in sexual assault centers is that more and more women are being forced to have sex with animals, to have sex with dogs in particular. This is the cover of *Hustler* magazine. The idea is that women are so subhuman that our proper sexual partners are animals.

We are dehumanized by being viewed as just

parts of our body. Here is a photograph from *Penthouse*; notice we don't see the woman's face at all.

This is a standard centerfold from *Playboy* magazine. I call this the incredible reconstructed woman. We have no evidence of humanity here at all. The woman's face is like a mannequin's face—no expression. Her breasts have been surgically altered with silicone to fit this unreal stereotype that all women are supposed to be. The idea is, this is the pinnacle of achievement for a woman. We see pictures of her as a child, as a teenager, and now this is woman arrived, according to the pornographers.

Here is a standard *Playboy* centerfold. At first glance this may seem to be very different from the bondage pornography that we have seen. If you look at it closely, you realize it's the same thing. The woman is exposed, very vulnerable, out on display on top of the piano. She is wrapped with pink ribbons. The idea is, she is a present to be unwrapped, not a human being. This is "pretty bondage," *Playboy*-style. Notice the white stiletto heels and white stockings. In pornography, over and over again, we see women dressed in black stockings and black stiletto heels. This is the language of the brothel—these women are sexual property. This is cleaned-up, sanitized, made legitimate, *Playboy*-style.

This is the June 1978 cover of *Hustler* magazine. This really is largely responsible for the formation of the feminist antipornography movement. We saw this issue of *Hustler* on newsstands, and we began to analyze pornography. We realized it is an obstacle to women's equality. These are two photo-

graphs inside that issue of *Hustler* magazine—women as pieces of meat, literally.

Pornographers promote and sexualize the abuse of little girls. They don't have to actually use real little girls to do this. What they can do is find young-looking adult women and dress them up as children. The message is the same. The little girls are sex objects who delight in sex with adult men, who seduce the adult men, who, most important of all, aren't harmed by sex with adults. This is the connection between the sexual abuse of children and pornography.

This is child pornography. We have seen a lot of this. It's made to look as authentic as possible, perhaps because this is real documentation of the abuse of real children in their bedrooms. This is how magazines like *Playboy* and *Penthouse* and *Hustler* eroticize little girls, turn little girls into targets of sexual abuse. The caption reads: "You call that being molested?" The idea is, this middle-aged man couldn't satisfy this sexually voracious child.

This is from *Penthouse*: a series of photographs called the Incredible Shrinking Lady. *Penthouse* found a very tiny adult woman to pose in these. You will notice that she is posed in this series of photographs with genitals exposed, big stuffed animals around her. We are finding that men who sexually abuse children use mainstream magazines like these to show the children what to do, to convince them it's okay.

This is a genre of pornography that is devoted to pregnant women. Notice the violence in this material. "Knocked Up Momma."

Pornography sexualizes inequality; so it targets particularly vulnerable populations of women and girls, like disabled women, including mentally retarded women. This is from a book called *Slam Magazine.* The copy explains to the reader that he doesn't have to worry if he rapes a retarded girl because nobody will believe the testimony of the "scrunch face." That is the language that is used. The next slide shows women in wheelchairs, disabled in every way possible. Here is a cartoon from *Hustler* magazine showing a little blind girl.

This is part of a series of photographs that appeared in *Hustler* three months before the gang-rape in New Bedford, Massachusetts. Up to a point it anticipates everything that happened in that actual gang-rape, but then something turns the tables in pornography. In this first photograph a group of leather-clad pool sharks are harassing a waitress and she looks frightened. Next, look at the photograph on the left. She struggles with them, tries to fight them off, but then what happens is what always happens in pornography. She discovers this is a wonderfully pleasurable experience, that in fact having more than one rapist is the best experience she has ever had. She is having orgasm after orgasm, as do they. It is an advertisement for rape.

There are whole series of horror films now that are basically aimed at adolescents. This one is produced by *Penthouse.* It's called *Maniac.* I think it's very much connected to this phenomenon in which the films usually show scene after scene of eroticized violence against women. It's very much connected with the proliferation of pornography. In fact, it's part of it.

This is a cartoon from *Penthouse.* Pornography trivializes and also eroticizes the murder of women. The caption reads, "You don't have to worry about getting pregnant. I have taken every precaution." The idea is, this man is going to blow the woman's head off after he has sex with her.

There is a category of pornography in which real women are abused and murdered in the making of pornography, and it is erotic entertainment. I doubt that this woman was actually killed, but there are increasing numbers of newspaper articles about real women being killed in the making of pornography. In 1983 in California, in Oakland County, they found the bodies of two teenage girls who had been murdered by men making pornography.

A lot of people said that pornography is speech. We say: It's not our speech, it's our silence. A lot of people say that pornography is liberation, that it's all about freedom. We say: It's not our freedom.

TESTIMONY OF

KANDY STROUD

I am a diplomatic correspondent for Cable News Network and my article on rock music appeared in the May 6 issue of *Newsweek.* I am here because I wrote a piece on pornographic rock music, never having written a piece on music before—that was not my beat. But I have three children, two teenagers, and a five-year-old. It was the teen-

agers who really brought my attention to what I consider a serious national problem. We are hearing more and more graphic and explicit and pornographic rock lyrics on the radio, on tapes, on MTV.

Music is an incredibly powerful influence. Aristotle said music has the power to form character, and Plato said when music changes, the laws of the state change with it. Dr. Howard Hansen of the Eastman School of Music says, "Music can be soothing or invigorating, ennobling or vulgarizing. It has the power for evil as well as for good." In other words, music is never neutral.

It's no secret that today's rock music is a significant part of young people's lives. It's a language. They use it to identify and give expression to their feelings, problems, joys, loves, and values. They dance to it, do homework to it, fall asleep to it. Some experts say rock music is to the teenager what the fairy tale is to the child.

Of the four media forms that affect children between elementary and high school ages, the only medium that is rising in levels of exposure is rock. The average teenager in this country listens to rock music between four and six hours daily. That works out to an average of 10,560 hours of music between the seventh and twelfth grades alone. When you realize that a child only receives eleven thousand hours of classroom instruction by the time he's graduated from high school, after twelve years of education, you can see the concentrated influence of music in a very short time span. Anything we're exposed to that much touches us deeply and is going to have power in our lives. And if the average parent only spends about fourteen minutes a week

in conversation with a child, it becomes apparent which influence holds greater sway over the formation of a child's value system.

Rock music has assumed the role of teacher. And today its lessons and messages are often pornographic, obscene, or violent. The song "Eat Me Alive," from the double platinum album "Defenders of the Faith" by Judas Priest, deals with a girl being forced to have oral sex at gunpoint—rape. In "Ten Seconds to Love," Motley Crue sings about making love to a woman on an elevator between floors. After ten seconds of sexual intercourse, the woman gets off at the next stop and the couple never meets again.

Concern heightens when we recognize that teenagers are not the only listening audience. Larger and larger numbers of elementary school children are becoming consumers of rock music. The younger the listener, the more unsettled the listener is in terms of identity and values. Dr. Sidney Shankman, executive director of Second Genesis, a residential drug and alcohol treatment center in Washington, says, "Young people who have not yet found their identity or formed their character look up to rock stars as role models and not infrequently use their messages as a mandate for action." Here are some of the role models that are teaching children today. In their lyrics the themes of masturbation, homosexuality, incest, bondage, savagery, and rape are being presented as acceptable, even desirable, forms of behavior.

But the only control parents have over rock, it seems, is the command, "turn it down." Parents are not tuning in to the problem. The attitude is, if it's

music, it must be safe. Of the parents I interviewed for a *Newsweek* column I wrote on pornographic rock, 99 percent admitted they were unaware of the words. They were uninformed that today's rock is drastically different from the music they listened to in the fifties, sixties, or seventies.

There has been a quantum leap from Elvis Presley's "I Want You, I Need You, I Love You" to Prince singing, "If you've got no place to go, I'll take you to the movie show, sit you in the back and I'll jack you off." When The Stones sang "Let's spend the night together" twenty years ago, it had to be edited before it could be performed on "The Ed Sullivan Show." Now every radio station in America plays songs like Animotion's current hit "Obsession," whose refrain, "What do you want me to do to make you sleep with me?" is repeated over and over again in the course of the song. And MTV plays videos like Duran Duran's "Rio" which features lesbian scenes of nude women wrestling, or Van Halen's "Hot for Teacher" in which Teacher dances suggestively on a desktop in lingerie in front of elementary schoolchildren.

The late Jimi Hendrix made a statement that every parent should know and be concerned about. He said this: You can hypnotize people with music and when they get at their weakest point, you can preach into their subconscious minds what you want to say.

What rock musicians seem to be saying is that sex in any form and with any partner, even your sister or brother, is appropriate. In rock, sex is purely biological, recreational fun. It involves no commitment, control, sacrifice, or sacrament. The

subject of rock music has always been and always will be sexuality, but the tone and subject matter have become vulgar and crude. Once upon a time rock music extolled romance, and its sensuality was veiled in metaphor and innuendo. Today the veils have been stripped. Innuendo has given way to the explicit.

The basic philosophy of sex in today's rock is summed up perfectly in Tina Turner's smash hit, "What's Love Got to Do With It?" "It's only physical," she sings, "you must try to ignore that it means more than that. What's love but a second-hand emotion?" The theme is, "If it feels good, go for it." "Let's Get Physical," sings Olivia Newton-John. On his new album, Jesse Johnson sings a song called, "Let's Have Some Fun." The lyrics tell of the freedom of young people who believe in making love "for fun—just sheer fun."

"I'm so excited I just can't hide it. I'm about to lose control and I think I like it," is one of the Pointer Sisters' big hits currently played on top 40 stations all over the country, along with another hit from the same album, "Baby, Come and Get It While It's Hot." Madonna, the idol of hundreds of thousands of young girls, appears on stage in sheer underwear and peddles sledgehammer sexuality. The fact that she is covered with crucifixes has nothing to do with her behavior. Madonna simply says a crucifix is sexy because it has a naked man on it. The twelve-, thirteen- and even seven-year-old girls who attend her concerts imitate her right down to the lingerie, crucifix earrings, and "boy toy" belt buckle. In concert and videos when this female role-model writhes passionately on a bed

singing, "Like a virgin, touched for the very first time, it feels so good inside," her sexual message is not lost on her audience. As one girl told *People* magazine, "Madonna's able to do something our parents would never let us get away with, the whole slut image."

The words of Sheena Easton's major hit "Sugar Walls," written for her by Prince, leave very little to the imagination when combined with moans, sighs, and orgasmic squeals. It's played sometimes as many as ten or twelve times a day on radio stations across America. The lyrics have to do with vaginal arousal: "The blood races to your private spots, let me know there's a fire, can't fight passion when passion is hot, temperatures rise inside my sugar walls."

She goes on to whisper erotically: "I can tell you want me, your body's on fire, come inside."

In concert, some rock stars reinforce the sexual theme of their music by holding up erotic bumper stickers for their teenage audience. Prince, Cyndi Lauper, and Joan Jett sing about the pleasure of autoerotic sex. "Hurry up and come over," Jett sings, "I'm tired of masturbating." Yet Jett calls herself a role-model and says she projects a healthy image for young girls. Wendy O. Williams performs on stage in attire once reserved for strip shows. Vanity, a protege of Prince, who also performs in scanty attire, sings songs like "Wet Dream" and "Drive Me Wild." In "Nasty Girl," a single from her album "Vanity Six," and also a popular video, she sings, "I can't take it. I want seven inches or more tonight." Her album "Wild Animal" contains the song "Strap on, Robbie Baby," which has

to do with a male penis or vibrator. It goes: "Come on and stroke me. Strap this thing tight. If you want to glide down my hallway, it's open. Strap yourself in and ride."

Homosexuality is another theme which has found a comfortable niche in contemporary rock. This album by the English group Frankie Goes to Hollywood, who sing about gay love, is the fourth best-selling album in British history. Its smash single, "Relax When You Want to Come," is devoted to male arousal and climax. The video of "Relax," also banned in Britain, depicts a gang-rape in a gay bar in which the victim is urinated upon. There are no restrictions on either the video or record in this country. They are available to children of any age. The group's new album "Welcome to the Pleasure Dome" features a Picasso-esque rendering of animals engaging in oral sex. Their singer, Holly Johnson, told me he suggested that the orifices be covered with fig leaves because he felt cunnilingus was going a bit too far for a record cover. And yet the animals' activity is barely disguised. Open the album and the centerfold features animals crawling onto and into the "pleasure dome," which is nothing other than the glans of a penis.

Prince, one of the biggest names in rock history, has always been at the vanguard of pornographic rock. His past albums have contained songs about incest, bisexuality, masturbation, and oral sex, all in graphic detail. In concert, he masturbates the neck of his guitar until liquid spurts from it in mock ejaculation. His videos often show him lowering himself onto a prostrate woman. His song "Erotic City" distinctly repeats a four-letter slang

reference to the sex act, although Warner Brothers Records insists it's a similarly sounding word. Consider the words to "Darling Nikki," from his Oscar and Grammy award-winning soundtrack "Purple Rain," which has sold 9.5 million copies in the last twelve months and is owned and played by children as young as five years old: "I knew a girl named Nikki, I guess you could say she was a sex fiend. I met her in a hotel lobby, masturbating with a magazine. She said, 'How'd you like to waste some time?' and I could not resist when I saw little Nicky grind."

Prince's album "Dirty Minds" contains a single called "Sister," which celebrates incest. Prince sings: "I was only sixteen, guess that's no excuse. My sister was thirty-two, lovely and loose. My sister never made love with anyone else but me. Incest is everything it's said to be."

Another popular Prince album, entitled "Controversy," contains the song "Jack U Off," which Prince sings to a cheerful, 1950-ish Lindy Hop beat: "If your man ain't no good, come on over to my neighborhood. Jump in the sack and I'll jack U off. If you're tired of masturbating, if you like I'll jack U off."

Songs hidden on the flipsides of hits can often be a problem. A nine-year-old boy goes into a record store to purchase the popular song "Jungle Love" by Morris Day and the Time on one of today's top 50 albums, "Ice Cream Castles." As an unexpected bonus he gets "If The Kid Can't Make You Come, Nobody Can" on the flipside. The title is self-explanatory and so are the words: "Baby, I'd be so sad if you didn't break down and let me in. If

the kid can't make you come, nobody can. Sweetheart, I can be as gentle as a lamb if that's what gets you off. I wanna get you off baby. And baby you can straddle my brass as we dance in the land of hard and soft."

A full five minutes of the song are sounds and expressions generally reserved for sexual intercourse in the privacy of a bedroom.

Marvin Gaye's latest album, "Dream of a Lifetime," a posthumous release, features the song "Sanctified Lady," which is currently played on the radio on popular music stations and includes obscene references to a woman's body.

The material I have dealt with, Mr. Chairman, is only the tip of the iceberg. I have restricted my presentation to mainstream rock music, the kind played on radio and MTV and purchased by millions of children. But violent and sadomasochistic rock is also a burgeoning problem.

II.

Excerpts from

Official Transcript of Proceedings

BEFORE THE

ATTORNEY GENERAL'S COMMISSION ON

PORNOGRAPHY

DATE: JUNE 20, 1985

PLACE: WASHINGTON, D.C.

TESTIMONY OF

INGRID HORTON

I am the president of SLAM (an acronym for Society's League Against Molestation) in the District of Columbia and Baltimore. If child sexual abuse is to be reduced, for eradicated it will never be, we must inform the public and the policymakers of the trauma of such abuse and of its negative long-term effects upon the individual victim and society on the whole.

I think it is important that I mention the definition that I am ascribing to pornography in my presentation today. It is taken from *Britannica-Webster.* Pornography: pictures or writings describing erotic behavior and intended to cause sexual excitement.

Many of you will argue that whilst this might well be a valid definition, it also sounds harmless. You might ask—of course, as you see in the pictures you saw this morning, you already know it is not—you might ask what is wrong with being sexually excited by pictures or writings describing erotic behavior? You may feel that the men or women who pose for those pictures and appear in films enjoy their "artistic" work and are well-compensated. This may or may not be true. Adult models may or may not be embarrassed to know that their most intimate body parts have been photographed

and possibly distributed throughout the country or even further afield. They may perceive it as an "art" as this is likely what they were told by the pornographers.

As adults we are, for the most part, in a position to decline to participate in such behavior, and we can refuse to attend movies or watch them on the screen. We do not have to purchase pornographic literature. I'm sure that many of you have at some point in your lives flipped through *Playboy, Penthouse* or even *Hustler.* Harmless adult fun, you think? Perhaps.

Let me state quite clearly, you cannot have child pornography without child sexual abuse. They are inseparable.

And what do the people who buy the erotica do with it? Who do they act out their fantasies with? What about the amateur photographers? Many of the child molesters and pedophiles that I know of are avid amateur photographers and suddenly develop an insatiable appetite for photographs of their children or other people's. Many child molesters do not rely solely on ready-made kiddie porn. They make their own.

Who are the children? I will tell you: they are yours and mine, they are not just a special breed. They are ordinary children. I could talk to you for many hours about the number of cases of child sexual abuse that I have been involved in as a child welfare advocate over the past four years, in which children were shown pornography, a lot of which was adult or mixed, as a means to lower their inhibitions or to give them guidance and instructions as

to what they should do and how they should pose.

My contacts at local and other police departments confirm that virtually every pedophile arrested had a collection of child and other pornography in his possession. In almost every case involving sexual abuse of a child, where the offender did not fall into the category of pedophile, some form of pornography was found.

However, I was asked specifically to relate today my own experience, and this is what I shall now do. As a child of eleven or so living in England, I remember a beautiful country inn in which I fantasized I would one day stay with my husband and children. My only stay at the tranquil British inn was far from my childhood dreams and was to become something I was unable to forget.

I was at boarding school at the time, a convent, and a welcome relief from living at home. I was about fourteen. My father, who had had an incestuous relationship with me for several years, asked the Reverend Mother if I could spend part of the weekends with him during part of his visit to the U.K. She agreed and I unhappily, but not daring to show it, stepped into his car and drove off with him. My father took me to the inn. I remember waiting nervously in the hall. He boasted, "I bet they think I am here with my young wife."

I was disgusted but very frightened of my violent father. I did not dare to ask to be taken back to school. I had run away from him once when I was about eight and did not wish to repeat the experience. He took me to the bar, but I didn't drink. He said I was too mature to drink a nonalcoholic bev-

erage and suggested a whiskey or something similar, which I pretended to drink in order not to anger him.

I was extremely uncomfortable, both because I was so much younger than everyone else and because I wondered if everybody knew about my father and me. Being alone with my father was utter torment, and I could hardly wait to go back to school.

His face was filled with lust, and I was scared. I knew that look so well. After dinner we went upstairs, and of course he had booked a double room. He had all kinds of things in his briefcase, and he pulled out a magazine or book and told me to read it. He sat on the bed and watched me, and his facial expression frightened me. I did not want to read it. I did not want to look at those pictures.

I was emotionally tortured, and I didn't know what to do. I did not like my body or my father's body, and having to look at those pornographic pictures forced me to visually memorize painful incidents with my father.

I had never examined my body. I didn't know what I looked like until I saw those photographs. I had tried not to look at him; now I had to see the very things that I feared so much and that tormented my most inner childhood being. I do not remember the pictures in any great detail, but he wanted to talk about them. I hated him. I had always been forced to obey him; we all had. He was the household tyrant. My mother was too weak to protect us. She still lives with him.

I didn't dare cry in case he "gave me something to cry about." I locked myself in the bathroom and

cried quietly. I looked in the mirror, and I hated myself. I wanted to die. I hated men. I thought to myself that I would never be happy unless I found a man who wasn't like my father. Somebody who didn't do any of those things or have pictures like that or make me do things for his own self-gratification. I remember asking myself if men like that existed. And why everybody wanted to have sex.

The next day, after the regular morning assembly at school, my headmistress kept me back and asked me what was wrong. I was not crying. I don't know what I looked like, but she must have noticed my distress. In answer to her gentle question—"Child, there is something wrong; what is it?"—I answered with the typical "nothing." I have since come to learn that what this really means is, Nothing I can talk to you about. She persevered. Finally, pleadingly, I asked her, without telling her why, "Please don't ever let me go with him again. Tell him anything, but please don't make me go."

She did not question me any further, but a short time later she sent her brother, a priest, to visit me. We talked about sex, but I did not disclose my incestuous relationship. My knowledge about the subject must have astounded him, but he never asked and I never told. We remained friends for many years. It's important to note that even though my father was thousands of miles away, and I was fourteen at the time, I did not think it safe to talk about the abuse.

No wonder today's victims feel the same way I did, and so many other incest survivors to whom I've spoken echo my very feelings. We had the same fears, and the children of today are no different.

I want to give you insight into what it feels like to be exposed to pornography at such a young age. Pornography, as I have already alluded to, certainly heightened my trauma. It gave my already overburdened mind an extra load of visual sexual abuse to deal with.

I spent most of my days daydreaming away the ugly images of my sexually perverted father and his activities with me, and most of my nights were spent rocking myself to sleep after he had left my room.

Even when I was separated from him by thousands of miles, I could feel his presence and I feared him. I rocked myself to sleep then, too. Now, in addition, when I had to force those horrible pictures of pornography out of my mind, I couldn't concentrate on my studies. I was punished for arriving late or not participating or paying any attention. I needed to be alone, in the woods, by the river, by the sea, and in the beauty of nature where I could cry in privacy and rock those ghastly pictures out of my head. I often escalated my rocking to such a degree that I was exhausted and my head was spinning. In that state, I could not remember very much and I enjoyed it.

I would sit by the river and ask God to help me die because I could not endure the emotional pain and the kind of parenting I was receiving.

I would run to the chapel. God knew how I was suffering. He was the only safe one I could talk to. I knew so much that I didn't want to know. I wanted to be just like the other girls at the convent who looked forward to going home to see their parents.

I remember commercials and TV shows and

advertisements in magazines. All those with sexual connotations caused me immense distress and brought back painful memories. Any suggestive activity, however subtle, seemed to penetrate my heart, it hurt so much. I wanted it to stop. I wanted to turn off the TV set. Instead I would go to a quiet place and cry.

I was upset by dirty jokes, and I wanted to tell my friends not to laugh at such things. It wasn't funny to me to see men or women become violent with one another or with their children. I didn't want men to see little babies having their buttocks powdered or little girls in their underwear. Seeing a man begin to undress on the TV screen would anger and hurt me.

It is emotionally difficult for me to recall all the information needed for me to present my case today. The reason I am here, and the reason I have strongly encouraged my fellow victims to testify, is because I truly believe that it is our duty to tell the truth, however painful, of our abuse, in an effort to open the minds of others, who are in a position to help today's victims and prevent tomorrow's.

III.

Excerpts from

Official Transcript of Proceedings

BEFORE THE

ATTORNEY GENERAL'S COMMISSION ON

PORNOGRAPHY

DATE: JULY 24, 1985

PLACE: CHICAGO, ILLINOIS

TESTIMONY OF

DIANN

I have been a victim of sexual abuse as an adult by my husband. My husband and I met in 1978 and married in late 1979. We have two daughters, ages one and four years old. I was coerced into acting out certain sexual fantasies which he had, many times, from reading pornographic literature or viewing certain pornographic movies. His particular interest centered about sadomasochistic pornography. He was very likely to do spankings and whippings. He would ask me to dress in a corset, nylon stockings, and spiked heels and to act out punishments on himself, or he wanted to wear women's clothing, like the corsets and stockings, and a couple of times to wear a wig and makeup during sex as well. He was really strong on the punishment part of it.

I didn't really identify the fact that I was sexually abused. I understand sexual abuse as any attempt to have your partner have sex or to do sexual things against your wishes, sometimes physically attacking the sexual parts of the body and treating the partner like a sex object. That's what I felt like. Until I talked to a woman who counsels abused women, I never put a label on it. I thought that I was a frigid, uncaring wife.

The sex relation was not healthy, in my eyes,

but I didn't know how to control it. It took some adjustment just to learn about sexual abuse and to say he was abusive to me, because I thought, if someone could love me, how could he hurt me?

Pornography seemed to me just like fuel for the fire. He used it as a tool. He would show me some of the pornography to persuade me that it was okay if it was on the newsstands. He could show me that other people were involved in it, other women, by showing me newspapers and people asking for this type of sex activity. Since many people were involved with it, why couldn't I be satisfied with it as much as these other people?

As a result of this I developed very low self-esteem. I felt emotionally isolated because of fear and embarrassment. It's a difficult thing to bring up. You can't talk to your family about it. There was even a time when I was treated for what they identified as post-partum depression. It was after our first baby was born; but I feel now that it was not post-partum depression; it was a reaction to the abnormal relationship we had.

I felt very powerless in our sex relationship, and then it went into other areas of our marriage, such as finances and communication.

Early in our marriage, he gave me an ultimatum. Either I would go along with his wishes for acting out his fantasies or have very frequent sex with him. Our sex life seemed to be based on his identity with pornographic literature and the fantasies, rather than a relationship with a man and a woman expressing love.

I would like to read a statement from a book because it clarifies how I felt abused by his love

acts, if you want to call them that. It's a book titled *Strange Loves.* It says, "Perhaps love of sex, whatever form it assumes, is the true and only perversion. It is one thing which offends against our nature as human beings, although it may not be against our biological nature. From this standpoint, what is considered normal sexual intercourse can be a perversion of our nature, if our partner is merely a means of our own immediate physical gratification, or if sexual intercourse is forced on the basis of conjugal rights. This is legalized rape."

That's a strong message, but I think it needs to be considered. I realize I am not the only woman that's been sexually abused. There are more bizarre cases, I am sure, just by the evidence of pornographic magazines. Those people, posing for the magazines, what are they subjecting themselves to!

Chairman Hudson: You mentioned to us that you were subjected to your husband's reenactment of pornographic imagery which he had seen in publications. Just so that the record may be clear on this, are you aware that he was reenacting the content of pornography because he told you that, or because he had displayed the pornography to you?

Diann: Because he displayed the pornography to me. Because I didn't know what that stuff was until he presented it to me. I wasn't exposed to that type of sex act.

Chairman Hudson: To the best of your ability, could you try to give us some type of estimate as to how many occasions your husband produced a

piece of pornography and encouraged you to reenact its content?

Diann: It was much more frequent in the early part of our marriage before we had our first baby. We were together in 1978, and she was born in 1981. So those first three years it was frequent to the point of, say, at least three times a week. If there was any sex, it had to be preceded by looking at the magazine.

TESTIMONY OF

EVELYN

For more than thirty years I watched pornography destroy our marriage. My children are living proof that their father's obsession with pornography robbed special time that should have been spent with them.

We live in a fairly small community in Wisconsin where pornographic material was not readily available during the first years of our marriage.

The addiction began with *Playboy,* cheap paperbacks, obscene playing cards, and R-rated movies. It then progressed to movies of lesbians and prostitutes he secured through the mail. Even innocent magazines like *Time* supplied him with names of banned movies and books he could inquire about. He behaved like an adolescent because he hid the books and magazines in his dresser drawer, between the mattresses, and various other places.

He then subscribed to pornographic materials through the mail.

When X-rated movies came to a theater not too far away from our community, he became their regular customer. I went with him once. I was disgusted with what I saw. I was also very embarrassed to have been seen in the theater. He continued going by himself and probably never missed a new showing.

Then came nude dancers, massage parlors, and prostitutes. Soon his life was so saturated with the garbage that he began living a life of fantasies. This obsession and addiction did not enrich our sex life. It robbed me of a loving relationship, and our sex life turned to his masturbating with his pornography.

He was convinced there was something wrong with me because I could no longer respond to him. In fact, I felt very uncomfortable whenever he touched me. He continually told me I was cold, even though he had nothing to offer me. And I believe this was justifying his involvement with pornography.

Whenever he went to a massage parlor or prostitute he would come home and torment me with details on how beautiful the women were and that they had beautiful bodies.

It finally progressed to the desire for exchanging partners and sex orgies. He again told me there was something wrong with me because I would not share him with others and I did not enjoy sex. Of course, at this point our marriage was finished, and I had no physical contact with him at all.

The hours spent with pornography definitely

had an impact on our children. They did not view our family environment as being normal, even though they were not aware of his addiction. They were shocked when we announced plans of a divorce. They were all grown and in college.

The children saw me as the head of the house. I became involved with all their school activities. My conscientious concern and care of the children helped me to ignore the putdowns and degrading comments my husband was directing at me.

He spent time with the children when they were younger and before he graduated from the magazine and paperback stage. I have to admit we have had some happy times and things could have worked out. He may have turned to pornography because he was unable to cope with the seriousness and hardships of life. He was witty with a sense of humor, but unfortunately often turned to humor instead of coping with problems.

The children learned to rely on me for support in time of need. To this day, he refers to my help to the children as spoiling.

He could have destroyed me as a person if it were not for the memories I have of myself and my life before I met him. I came from a close-knit family with plenty of discipline, but also love and affection. No one felt uncomfortable hugging. Even after I married, our family reunions consisted of hugging and kissing among family members. My parents are no longer living, but our reunions with relatives still include the closeness of hugging.

The obsession with pornography kept my husband away from the children a great deal of the

time. We never knew if he would be an hour late for supper or two hours late. He always went "back to work" after supper. I can vividly remember one of our daughters, who developed some of his wit, saying, "Come again sometime when you are in the neighborhood."

We both went to counseling for many years during the early stages of his addiction. He would admit he had a hangup and that he did not feel good about himself. He said it was difficult for him to imagine how he could have an attractive wife to love him. Finally pornography took over and he stopped counseling. I continued on and on, depending on my ability to cope with situations as they arose. He was drawn to pornography even though I offered him a loving relationship and enjoyed sex with him before his involvement with pornography. Masturbation took over our sex life. I know for a fact that pornography destroyed our marriage.

I feel that we would still be married if it had not taken over. I can still remember the spot I was standing in four years ago when I told him I still loved him and I would not divorce him if he would change. He said I was sexually cold and selfish because I would not exchange partners with other couples.

I met a man shortly before I was divorced, and my husband asked if we could make love while I talked with him on the phone. He is still angry that I found someone, but I would not make it a threesome. He has told everyone that my boyfriend broke up our marriage. Perhaps he is sick enough

to believe it. I feel sorry for him. I still love him for the happy times we had. He is also a victim of pornography.

One of our daughters, whom he disliked and never got along with, had accused him of molesting her when she was a very young child. He denies it and said she is imagining it because she has some hang-ups. She knew he went to X-rated movies and was very upset with him. She also told me she overheard him and me talking one night when he said he did not like her. That is true, he did say that, but I was not aware that she had overheard it. I wonder sometimes how many other things they have heard that they have not mentioned or just pushed into the back of their minds. He still does not get along well with this daughter.

Chairman Hudson: Evelyn, could you describe to us the frequency of your husband's use of pornography, your former husband, I should say?

Evelyn: Well, he would go into the bathroom and be there for hours and hours at a time. He had magazines all over the place. He purchased movies, and he would watch the movies when I was gone. I am in a profession where I go to meetings, and he would go along with me. While I was attending meetings he would go to massage parlors, prostitutes, and X-rated movies. Then he would come and tell me all about it; then he would get angry because I wouldn't have sex with him. He would force himself on me many times. Sometimes five times a night—I guess you would call that rape.

TESTIMONY OF

BRENDA MacKILLOP

I am a former Playboy bunny who worked in the Los Angeles Playboy club from 1973 to 1976. I frequented Hefner's mansion and I lived the Playboy philosophy.

My first association with Playboy began in childhood when I found *Playboy* as well as other pornographic magazines hidden around the house. I have since discovered that a great deal of pornography ends up in the hands of the children. This gave me a distorted image of sexuality. Pornography portrays sex as impersonal and insatiable. It depicts everything from orgies to sadism to incest to bestiality.

I believe that the Playboy philosophy of pleasure-seeking lust influenced my father to make passes at other women and to ask a neighbor to swap wives. I feel my mother's battle with obesity caused her to feel jealous of the playgirls and jealous of her own daughter's body. I never questioned the morality of becoming a Playboy bunny because the magazine was accepted into the home. Also, I had begun to follow the Playboy philosophy of free sex five years before. Since you are investigating whether there is anything wrong with pornography, I offer this personal account.

Playboy is more than a pornographic magazine with pictures of naked women. It is a philosophy that enticed me to throw aside my Judeo-Christian ethic of no premarital sex and no adultery and to practice recreational sex with no commitments. I was extremely suicidal and sought psychiatric help

for the eight years I lived in a sexually promiscuous fashion. There was no help for me until I changed my lifestyle to be a follower of Jesus Christ and obey Biblical truths, including no premarital sex. Then I remained celibate until my marriage, which was nearly three and a half years later. There is no way I can describe the beauty, joy, fulfillment, and peace of having sex within the bonds of my loving marriage. Since my decision in April of 1977 to commit my life to the Lord, I have never had to seek psychiatric help and I have never been suicidal again. I ask you to judge which philosophy gives freedom.

Just in case you think I was alone in my depression and death wish, I want to share with you a few other examples. In Los Angeles my roommate, who was a bunny, had slashed her wrists because she was so suicidal. I acquired my roommate after she had suffered a homosexual attack by her former bunny roommate. Bobbie Arnstein, Hefner's secretary in Chicago, ended her life after being arrested by the FBI on drug charges. A centerfold for *Playboy,* who was interviewed with me on the "Woman to Woman" talk show, confessed to seeking psychiatric help for years after the trauma of appearing naked in the magazine.

A Playmate of the Year, also on the "Woman to Woman" show, testified that a man attempted to rape her after he recognized her from the magazine. Obviously this man had the idea that centerfolds who appear nude in the magazines he reads want to be his sexual playmates. I believe many women are raped due to this impression given by pornography that all women want to be used sex-

ually. Pornographic pictures in *Hustler* show women asking for sexual abuse.

Working in the Playboy club bar, I was surrounded by the Playmate Gallery, a display of nude centerfolds. Men would leer at the pornographic pictures and then ask if I was up there. Thank God I wasn't, but I felt as if I were naked, too, as the men stared at me in my skimpy bunny costume. I felt these men had no respect for women, and their only interest seemed to be in satisfying their lust.

Many men came to the Playboy Club with the idea of purchasing sex. They offered me trips and money to go to bed with them. Although I never accepted, others may have. It is easy to see why these men would get the idea that pornography is associated with prostitution. Many centerfolds say they posed nude for the money.

As for me, I found that premarital sex with single men led me to affairs with married men, then to using my body to get what I wanted. Because I was treated as a sex object in the sexual revolution promoted by *Playboy,* I began to treat my body as a marketable item. I looked on men as power objects and got on casting couches in the attempt to become a movie star. Although I received small parts in *Godfather II* and *Funny Lady,* and had sex with movie stars and producers, I felt worthless and empty. Out of my despair I attempted suicide on numerous occasions.

I don't think it's unrelated that we have an epidemic in teenage suicides at the same time that a doctor in Indiana told me he is delivering second babies to single fourteen-year-old girls. Many of those girls, I believe, bought *Playboy's* promise that

premarital sex is good for you. In addition, I feel these pregnant teenagers are seeking true love through keeping their babies—a love they could not find in no-strings-attached sex. I know that my desire for love was never fulfilled in my sexual promiscuity. There was never any real intimacy of the mind and spirit.

Drug abuse is deeply interwoven into the Playboy lifestyle. I saw marijuana being used at Hefner's mansion on a regular basis, and cocaine as well. I began taking moderate amounts of alcohol and tranquilizers, thinking it would do no harm; but the lust grows for more drugs and alcohol to desensitize the psyche to the sexual perversion. I experienced everything from date rape, to physical abuse, to group sex, and finally to fantasizing homosexuality as I read *Playboy* magazines. The group sex held in Hefner's mansion was accompanied by the pornographic movie *The Devil in Miss Jones,* and homosexual activity was encouraged. After eight years of promiscuous living, I was sexually burned out. I began to dislike sex. There is no end to the depravity that a lifestyle of sexual immorality will go to consume its lust.

I overheard at Hefner's mansion one night a man saying he would prefer to have sex with the preschool daughter of a movie star than with the beautiful actress herself. So I am not surprised at the rampant sexual abuse of children as an outcome of a society that offers pornography on the shelves of the local convenience stores and on television through Playboy's pornographic channel on cable. I think the further corruption in our society can be seen in the pornographic rock music that

pours into the minds of our youth from radio stations across America.

One frightening and ugly side of promiscuous sex that *Playboy* forgot to warn its followers about is venereal disease. I heard a bunny I knew had her reproductive organs removed due to venereal disease left untreated. Unfortunately, she had treated quite a few men to the disease before the surgery. On a trip to Los Angeles last year, I heard that Hefner's mansion is now being called "Herpes Hideaway." You may draw your own conclusions from that.

Sterility from sexually transmitted diseases is not the only heartbreak from following this hedonistic path; multiple abortions are a common occurrence. In order to avoid any responsibility for an irresponsible lifestyle, abortion is a necessity. Never mind that you are destroying a human life.

I will never forget a conversation between two bunnies that went something like this: First Bunny: I thought I had the flu last week, but I was pregnant. So I had an abortion. Second Bunny: Did it bother you to have the abortion? First Bunny: Well, the first time it did, but this is my third or fourth abortion, and there is no way I could take care of a child. Besides, I think I am doing the right thing by not bringing an unwanted child into the world. Second Bunny: I know what you mean. I was married and pregnant by another married man, and there is no way I could have had that baby.

Please warn the American public that embracing the Playboy philosophy can be dangerous to their physical, emotional, and spiritual well-being.

To make it perfectly clear as to *Playboy's* inten-

tions for our society, I relate this shocking event. In 1979, the Chicago Statement Group made its first annual picket of the Chicago Playboy Building. They were protesting *Playboy's* influence in corrupting the morals of America. A television journalist was told by a *Playboy* representative, "I certainly hope that we are corrupting the morals of America."

When such a cancer is found in our society that leads to the same ruin and decadence as the Roman Empire, we must destroy it. To do this, we must enforce the laws already established concerning obscenity and pornography. We must educate the nation concerning the destructive influence of pornography and its philosophy now.

I stand against pornography so that my children will have a society that once again considers virginity a virtue. I want a society free from the pornographers who steal our children to make a profit. I want to leave America's children a blood supply uncontaminated by AIDS. My continual prayer is to see this country once again embrace the Judeo-Christian heritage that made it great.

IV.

Excerpts from

Official Transcript of Proceedings

BEFORE THE

ATTORNEY GENERAL'S COMMISSION ON

PORNOGRAPHY

DATE: JULY 25, 1985

PLACE: CHICAGO, ILLINOIS

TESTIMONY OF

INSPECTOR JOHN RUBERTI

The Postal Inspection Service conducts investigations relative to the production and distribution of child pornography which is transported via the U.S. mail. The most successful proven tactic for combating child pornography is cooperation between law enforcement agencies to ensure that individuals who are engaged in the production and distribution of child pornography are brought to justice, regardless of who has primary jurisdiction. The Chicago division of the Postal Inspection Service works closely with the Chicago Police Department, U.S. Customs Service, state and local law enforcement agencies.

The majority of our cases are developed and investigated in a covert manner. On occasion we must meet with individuals who have an interest in child pornography. These meetings are conducted using undercover agents. We do this for the purpose of identifying victims, learning the location of child pornography, and identifying other individuals involved in the sexual exploitation of children.

In many instances investigations last many months and involve multiple meetings to ensure the greatest possible success in protecting children from future abuse. However, in instances where children are in imminent danger, immediate action is taken.

Investigations, meetings with pedophiles, and evidence seized during the execution of search warrants have disclosed that individuals who are involved with child pornography generally have a history of sexually abusing children. We have also found they are frequently communicating with other pedophiles.

Individuals with whom we have met have displayed a tendency to brag about their exploits. They brag about what they have done and are doing to children, about the materials they possess and the materials they have produced. On occasion they have provided us with names and photographs of their victims. The individuals whom we have targeted have always possessed child pornography, and the majority have child pornography which they personally have produced.

A classic example of law enforcement agencies cooperating on an investigation is the case of David Petrovic. Mr. Petrovic was identified by the U.S. Customs Service as being a recipient of material from Europe which depicted child pornography. Based on this information, the Postal Inspection Service began corresponding with Mr. Petrovic using covert methods. In his correspondence, Mr. Petrovic identified a female approximately ten years of age whom he indicated he had sexually molested. The female was not identified by name.

Further correspondence between the Postal Inspector and David Petrovic resulted in the scheduling of a meeting with undercover agents in Chicago. Drawing on the expertise of the Chicago Police Department Special Investigations Unit, a Chicago police officer met with Mr. Petrovic in an under-

cover capacity in an attempt to identify the child.

During these undercover meetings, Petrovic suggested that we could obtain children, abuse them ourselves, and then sell them to other child molesters. He informed us that we could obtain the children of prostitutes or we could kidnap the children outright.

Petrovic also explained another method of obtaining children. He stated he would frequent singles bars to meet women who had children. After developing a relationship with the mother, he would then begin sexually abusing the child. He would also hang around schoolyards, playgrounds, and parks. He would take photographs of the children as they played. While these pictures appeared to be quite innocent, for David they served another purpose.

As I stated previously, David had provided a picture of a young female whom he had indicated he had sexually molested. David would only provide us with the first name of this child, but he did furnish us with a telephone number. This information was researched, and we were able to identify the family in question. Petrovic was indicted by a grand jury, arrested, and pled guilty to a charge of sexually abusing a child. He is currently serving a fourteen-year prison term.

Let me tell you of a young lady whom we will call Cathy. Cathy was ten years old when she, her fifteen-year-old brother, mother, and father left the Chicago area for California. While en route, their car broke down in Arizona. Subsequently, Cathy's father deserted the family and Cathy's mother called on an acquaintance of hers, William Thoma,

for help. Thoma gladly went to Arizona and rescued the deserted family. After returning the family to Chicago, he somehow retained Cathy and her brother. We can only surmise what happened during the next eight years.

We do know Thoma was producing and selling child pornography. One of the items he was selling was a videotape which he had titled *Teen Orgy*. The tape featured Cathy, who was sixteen years old when the tape was made, and Cathy's friends, who were also sixteen years old. As I previously stated, we can only surmise what happened to Cathy. However, from what was discovered as a result of our search of Thoma's residence and what we have since pieced together, I think you will agree that our suspicions are correct.

What we discovered were countless photographs of Cathy from age ten until the time Thoma was arrested. These photographs depicted Cathy in all types of sexual activities. Not only was Cathy's physical development portrayed, but we also found photographs of Cathy's brother and Cathy's friends. In essence, anyone who associated with her became a potential victim of Thoma.

Photographs which were taken by Thoma were not only kept for his private collection. Photographs which he took were sold to a foreign publisher and were subsequently reproduced in a magazine titled *Nymph Lover*. These photographs were found in an envelope in Thoma's residence which bore the notation "11 or under."

The next series of photographs are of Cathy and her brother. These photographs were found in

a book which we discovered in Thoma's residence.

This is the magazine entitled *Nymph Lover,* Number 3. This is the inside cover of that magazine. In the upper left-hand corner, please note that the magazine was printed in July of 1977, and was published in Copenhagen, Denmark.

Also, please note the statement which appears in the lower left-hand corner. "Turn your old preteen photos to money. We pay top price, also for amateur photos, even imperfect ones. Your contribution will be greatly appreciated and will help us continue."

From the next series of photographs, you can see that Thoma obviously took them up on their offer.

We just recently discovered another magazine entitled *Incest 3.* This magazine contains photographs of Thoma sexually abusing Cathy. Not only were these children sexually abused, they were sexually exploited for profit.

Based on the materials which Thoma had sold to U.S. Postal Inspectors, and had sent via the U.S. mails, Thoma was found guilty of three counts of violation of Title 18, section 2252 of the United States Code, "Sexual Exploitation of Children." William Thoma was sentenced to four years imprisonment and four years probation. Thoma's sentence will end when his term of probation is completed. Unfortunately, the photographs which he took of Cathy, the videotapes which he took of Cathy and her friends, and the photographs which were sent to a foreign producer of child pornography and subsequently published in at least two

magazines will be with Cathy and her friends for the rest of their lives.

As you can see, even after a violator has been convicted, the trauma to the victims does not end.

TESTIMONY OF

DR. FRANK OSANKA

Thank you very much for this opportunity to share with you some of my findings regarding the association between exposure to pornography and crimes against persons. I am president of Behavioral Consultants in Naperville, Illinois.

My data is about a Thomas Schiro who was convicted in September of 1981 of brutally raping and strangling to death a young women in Evansville, Indiana, that same year. He was sentenced to die in the electric chair on January 21, 1982, and he is today still awaiting his fate in the Indiana State Prison in Michigan City.

My data about Schiro was gathered and tape-recorded in two Indiana jails, where I evaluated him in preparation for testimony during his trial. I spent over fifty clinical hours with Schiro and subsequently testified as to my findings about his state of mind at the time of the crime.

During my evaluation of the question of Schiro's sanity, I was surprised at discovering how pervasive pornography was in the development of his personality and his warped beliefs about human sexuality. Schiro's development from an innocent seven-year-old to a vicious nineteen-year-old rapist

and murderer should give us cause to seriously examine the potentially dangerous effects of premature exposure to pornography.

My methodology today is designed to be brief. I will provide a summary of Schiro's premature and gradual exposure to pornography and his subsequent addiction to pornography; integration of the deviant sexual values of pornography into his personality, resulting in subsequent behavior of sexual crimes against others. I have not provided for public record his descriptions of the brutal rape and murder, but I am available to consult with the Commission and Commission staff on these matters in closed session. The portions that I will share with you are from a tape recording that I made from some of the fifty clinical hours.

Thomas Schiro's first exposure to pornography happened before he was eight years old. He discovered two of his father's World War II vintage pornography films. Viewing the films motivated him to masturbate and develop a need for exposure to additional pornography. One of the films was entitled *Bedtime* and illustrated a man and woman engaged in a variety of sexual interactions. The significant aspect of the film was the depiction of the woman's body as being sexually enthusiastic, while at the same time the camera frequently drew attention to her anguished facial features. The message to young Schiro was that women enjoy sexually related pain. Later he learned that most women did not enjoy such pain and humiliation, but by that time he did not care because he had developed sadistic needs to hurt women, either in thoughts or actions.

Within a few years, Schiro was stealing or buying "skin magazines" from drugstores or finding such materials in trash dumps. In his early teen years he would sneak into X-rated drive-in movies. Schiro paired masturbation with all of the above exposures. By the time he raped and murdered his last victim, he had been exposed to "skin magazines," pornographic picture books, and pornographic films. Many of these materials included violent sadistic acts against women.

Schiro's psychosexual development regressed to the point where he could not achieve an erection in any sexual act unless he coupled this desired behavior with viewing pornography. He would often place centerfolds next to the head of his victim and demand that she lie perfectly still.

Schiro's psychosexual responses were conditioned to achieve primary sexual satisfaction, either alone or with another person, by pairing masturbation with viewing pornography.

What follows is a list of sexual dysfunctions that Schiro learned and reinforced through viewing pornography paired with masturbation.

Voyeurism. Schiro began peeping into other person's windows when he was twelve. He continued this behavior until he was arrested for murder. When he found unsuspecting victims, he would often knock on their windows moments before he ejaculated. In later years he used his night prowling as a form of reconnaisance for his later breaking and entering for purposes of sexual assualt. Of course, pornography is a form of voyeurism.

Exhibitionism. Schiro began "flashing" in his late teens. He walked busy streets of Vincennes,

Indiana, wearing brief cut-off jeans which left the head of his penis slightly exposed. He also sat in his car masturbating to pornography with the practice of calling a woman over to the car just prior to achieving ejaculation.

Obscene telephone calls. Schiro began making obscene telephone calls when he was ten years old. He first watched the film *Bedtime*; then he would make the calls.

Urolognia. Schiro urinated on some of his victims as a means of imitating the images that he had seen in the pornography.

Rape. Schiro committed nineteen to twenty-four sexual assaults of women before the final rape and murder episode. In these cases, he would need to view pornography in order to achieve an erection to accomplish the sexual assault. He defined accomplishment as ejaculating on or in his victim, or both. He would break and enter with a flashlight and a "skin magazine," lie on the kitchen floor looking at the pornography until he achieved an erection, and then proceed to carry out the sexual assault. He developed a desire for rape and the methodology of rape from pornography.

Cross-dressing. Schiro experimented with wearing women's underwear while masturbating to pornography.

Sexual sadism. Schiro received maximum sexual pleasure from fantasizing about inflicting pain on women or actually inflicting pain on women. This need was introduced by the film *Bedtime* and reinforced by countless pornography magazines, books, and films.

Pygmalionism. Schiro developed a sexual and

personal fixation on a mannequin in a shop window in downtown Evansville, Indiana. The connection between this sexual interest, his requiring many of his victims to lie perfectly still, and his sexual abuse of his last victim after she was dead is obvious.

Lust murder. Schiro raped and murdered his last victim after incorporating all of the above sexual deviances, including the next one, necrophilia.

Necrophilia. Schiro used sexually the body of his last victim after he took her life. All of the above sexually deviant behavior was modeled in the pornography that he was exposed to.

TESTIMONY OF

MARY STEINMAN

I would like to thank you all for allowing me this opportunity, which I have waited for for many years; and just before I get into my testimony, I do have some pictures, if anybody would be interested, of my sisters and brothers and myself and my mother and father, as children, as evidence that I did come from a family with a mother and father and sisters and brothers, if anybody would be interested in seeing them.

I am from Omaha, Nebraska. I was sexually abused as a child in my own home. My abuse started at the age of three. My father kept suitcases full of pornographic pictures and magazines. From the earliest years he would have me perform oral sex on him. He would hang me upside down in a closet and push objects like screwdrivers or table knives

inside me. Sometimes he would heat them first. All the while he would have me perform oral sex on him.

He would look at his porno pictures almost every day, using them to get ideas of what to do to me or my siblings. I have had my hands tied, my feet tied, my mouth taped to teach me big girls don't cry. He would tell me I was very fortunate to have a father that would teach me the facts of life.

Many of the pictures he had were of women in bondage, with their hands tied, feet tied, and their mouth taped. There was one picture I remember with a women with a chain around her neck, and her hands and feet were chained to the head and foot of a bed. Some of the magazines he had showed adults having sex with children and children having sex with children. He had a lot of pictures depicting group sex.

My father had an easel that he put by the bed. He'd pin a picture on the easel and, like a teacher, he would tell me, This is what you're going to learn today. He would then act out the picture on me. As early as the age of four, my father would rent me out to other people for the purpose of sex.

Along with me went part of his pornographic collection, which was included in the price and had to be returned. This abuse continued until I was fourteen.

I had no childhood. The relationship with my father was sexual from the age of three. I was nothing but a pornographic tool for his use. I cannot distinguish the difference between sex and pornography. Because of my sexual abuse as a child I am extremely against pornography, and because of

pornography I cannot enjoy sex. The word *love* is very painful to me. My father said he loved me, and his love hurt me. The mere mention of the word sometimes gives me flashbacks to the abuse I endured as a child.

I have appeared on numerous radio and television shows, both national and local, in an effort to help other victims of child sexual abuse and to inform listening audiences of the dangers of the use of pornography. I testified in Madison, Wisconsin, in 1984 before the Wisconsin House of Representatives concerning the absence of obscenity laws in that state and to help them formulate new laws regarding obscenity. I also testified in Indianapolis, Indiana, concerning obscenity laws under consideration there.

I have traveled around this country. I have met many other victims of child sexual abuse and in practically all of their situations, as well as mine, the use of pornography was a common denominator. I have very strong feelings about pornography, both child and adult. I think it should be abolished. If pornography is harmless, then myself and the millions of other sexually abused children in the country are guilty of sexually arousing the people who abused us. We are not guilty—the pornography is, and we as children are the innocent recipients of this misguided lust. There is no such thing as harmless pornography, just as child sexual abuse, rape, and sexual assault are not harmless. Pornography contributes to a vicious cycle from generation to generation.

I hope the ladies and gentlemen of this Com-

mission don't see me as an isolated incident or isolated victim. I hope you will be able to understand that I and many of the victims are only representatives of a growing number of victims. I have come here to expose my abuse because many other victims aren't able to. Thanks to the help I have received from Dr. Osanka, I am able to live with the remembered horrors of my childhood. Victims of pornography live with it every day. Some are stronger than others or have been able to find help. Others have ended their own lives rather than continue to remember. You won't be able to hear their stories, but be assured pornography contributed to their deaths. I myself attempted suicide.

I am an American, and I believe in America, but there seems to be a problem about values in this country. We seem more concerned about money and individual rights than we do about our children or their future or our own future for that matter.

TESTIMONY OF

CATHARINE A. MacKINNON

This government has tried various approaches to the problem of pornography, as you know. Your predecessor commission believed that, although pornography may outrage sensibilities and offend taste and morals, it was harmless. Nonetheless, the courts decided that when materials violate commu-

nity standards, appeal to the prurient interest, are patently offensive, and are otherwise worthless, they may be prohibited as obscenity.

State and local legislatures have tried to confine pornography by zoning, to define it as a moral nuisance, or to pay the pornographers, in some cases, to get out of town. Despite these attempts, the pornography industry has flourished, in part because it is so sexually and financially profitable that it effectively sets community standards. But primarily pornography was allowed to flourish because its real harm was never identified: the violation of women and children that is essential to its making and inevitable through its use.

This harm could be overlooked because pornographers, who are pimps, take the already powerless, the poor, the young, the innocent, the used, the desperate, the female, and deepen their invisibility and their silence. Pornography makes its victims so invisible that in years of inquiry the only harm this government could previously see was sex it disapproved of, not its most powerless citizens being used and being hurt. Pornography makes its victims so silent that no previous official body other than some state legislators had heard them scream, far less speak.

Recently the U.S. Supreme Court admitted that obscenity doctrine had missed something, *someone* actually, for whose injuries it was therefore inadequate. Recognizing finally that child pornography is child abuse, and whether or not it is obscene is beside that point, the Court found that the First Amendment allowed pornography made using children to be criminally banned.

Andrea Dworkin and I, with many others, have been working to expose the specific atrocities to women that have been equally hidden and for which existing law remains still inadequate. These abuses include coercion into performing for pornography, the pervasive forcing of pornography on individuals, the assaults it causes directly, and the targeting for rape, battery, sexual harassment, sexual abuse of children, forced prostitution, and the civil denigration and inferiority that is endemic to this traffic in female sexual slavery. Pornography makes women what Andrea Dworkin, in her testimony to the Senate, called the sexual "disappeareds" of this society. Because these injuries are disproportionately inflicted upon women, but also on everyone whom it victimizes, on the basis of their sex, and because virtually nothing is being done about it, and because women matter, we have proposed a new approach: that pornography be civilly actionable as sex discrimination and recognized as a violation of human rights.

In discussing this proposal, I will begin with an analysis of the evidence that supports the civil rights approach, then show how the legal design of the ordinances that we have conceived and drafted respond to those injuries in a way existing law does not.

Then I will present our constitutional argument very briefly, and urge you to adopt this approach and recommend this avenue for relief.

First, the harm of pornography. Women in pornography are bound, battered, tortured, humiliated, and sometimes killed. Or, merely taken and used. For every act you see in the visual materials,

some of which I know you have seen, a woman had to be tied or cut or burned or gagged or whipped or chained, hung from a meat hook or from trees by ropes, urinated on or defecated on, forced to eat excrement, penetrated by eels and rats and knives and pistols, raped deep in the throat with penises, smeared with blood, mud, feces, and ejaculate. Or merely taken through every available orifice, or posed as though she wanted to be. Pornography sexualizes women's inequality. Every kind of woman is used, each one's particular inequalities exploited as deemed sexually exciting: Asian women bound so they are not recognizably human, so inert they could be dead; black women playing plantation, struggling against their bonds; Jewish women orgasming in reenactments of Auschwitz; pregnant women and nursing mothers accessible and displayed; white women splayed across hoods of cars trussed like dead prey; amputees and other disabled or ill women, their injuries or wounds or stumps proffered as sexual fetishes; retarded girls presented as gratifyingly compliant; adult women infantilized as children; children presented as adult women, fusing vulnerability with the sluttish eagerness said to be natural to women of all ages; so-called lesbians, actually women sexually arranged with women to be watched and claimed.

The point is, because the profit from the mass production of these mass violations counts and women do not, because these materials are valued and women are not, because pornographers have credibility and rights and women do not, the products of these acts are protected and women are not.

So these things can be done so pornography can be made of them. I call this a causal link.

Every act exacted from the women in pornography, who are typically made to act as though they are enjoying themselves, is acted out on yet more women integral to pornography's consumption. Such women are given no choice about seeing the pornography or performing the sex. Pornography is forced on them to destroy their self-respect and their resistance to sexual aggression, to terrorize them into compliance or silence, as a sex act in itself, or to instruct and season them for exact replication of the scripts and postures and scenes. Rapes are stimulated, inspired, fantasized, planned, and actualized. The women are held down while the pornography is held up, turned over as the pages are turned over. As to pornography, in our definition, which I will discuss in a moment, the evidence is consistent from social studies, clinicians who work with victims and perpetrators, battered women's shelters, rape crisis centers, groups of former prostitutes, incest survivors and their therapists, court cases, police, and in testimony that is typically devalued, although it is the most direct and best evidence there is (and I hope you will hear a great deal more of it)—from victims themselves.

This evidence, together with laboratory tests in controlled experiments on nonpredisposed normals and recent correlational results, support the conclusion that exposure to pornography increases attitudes and behaviors of aggression and discrimination, specifically by men against women. The increment of increase varies according to the type of

pornography only in degree. Sex and violence are inextricably interwoven in this harm, both in the material itself, which makes sex into violation and makes rape and torture and intrusion into sex, and also on every other level of pornography's social existence. In its making, violence is used to coerce women to perform for materials which actually show violence. It may also be used to coerce women to perform for materials which are sexually explicit and subordinating but do not show that violence, except perhaps for the bruises the makeup fails to cover.

In its use, women are forcibly compelled to consume pornography until they acquiesce without further complaint in sex that violates their personal dignity, their desires, and their bodies, not to mention their preferences, without the need for further force. Subjection need not always be violent.

Further effects of exposure to pornography, such as the trivialization and objectification of women, acceptance of rape myths, desensitization to sexual force, spontaneous rape fantasy generation—these are the so-called attitudes, so far from being considered violence that they are not even considered behavior. But the only thing we cannot yet predict with exactness is which individual woman will be next on which individual man's list, and for what specific expression of his escalated misogyny. We do know these interactions may occur and we do know that these materials contribute to them, causally to many. We also know that the more pornography is consumed, the less harmful these acts will be socially perceived as being. We also know that they will typically occur in contexts

traditionally regarded as consensual, if not intimate: in marriages, in families, in prostitution, on dates, among acquaintances, on the job, in churches, in schools, and in doctor's offices. Most rarely, they happen between strangers, and almost always between women and men.

Second, the appropriateness of the civil rights approach. On the basis of this analysis, pornography, not alone, but centrally, can be said to institutionalize a subhuman, victimized, second-class status for women in particular. If a person can be denigrated, and doing it is defended as freedom; if one can be tortured, and enjoying it is considered entertainment; if the pleasure that others derive from your pain is the measure of your social worth; then you aren't worth much, socially speaking. Tolerance of such practices is inconsistent with any legal mandate of equality or with the reasons we protect speech. The civil rights approach to pornography is based upon the rather simple notion that this remains true even though the means are words and pictures, the enjoyment and pleasure are sexual and economic, and the victims are women.

Based on an empirical investigation of the materials actually available that do this damage, our law defines pornography as the graphic sexually explicit subordination of women through pictures and words that also includes women presented dehumanized as sexual objects who enjoy pain, humiliation, or rape; women bound, mutilated, dismembered, or tortured; women in postures of servility or submission or display, penetrated by objects or animals. Men, children, or transsexuals,

all of whom are sometimes violated in these ways through and in pornography, can also sue civilly for similar treatment. The term "sexually explicit" is an existing term with both legal and popular meanings that have never previously been considered ambiguous or problematic. A subordinate is the opposite of an equal. The term subordination refers in our law to the active practice of making a person unequal. It can include objectification, hierarchy, forced submission, and violence, all of which are typical here.

Presumably it is obvious that this is not the obscenity test. To be pornography, materials must be graphic, and sexually explicit, and subordinate women, and also include at least one of the concrete list of particulars. If they fit this definition, they do this harm.

But these materials, in themselves, are not actionable under our law. Victims of four activities only—coercion into pornography, forcing pornography on a person, assault, and trafficking—can sue. Existing laws, abstractly extended, might have been seen to cover at least some of these abuses. But no existing law adequately captures the specific social etiology of pornography and provides adequate relief.

Laws against assault and battery or rape may, in theory, reach some of the acts; but they do not, even in theory, provide relief against the continued existence of the materials which reenact those violations in public. Privacy law, in theory, potentially reaches some of the materials but does not adequately address the abusive acts.

In theory, lynching was assault and battery or

murder. But it was not effectively addressed in practice until the organizations which practiced it as concerted racism were held accountable to federal civil rights law. In theory, sexual harassment could be a tort, or intentional infliction of emotional distress or invasion of privacy. But it was not until it was recognized as sex discrimination that anything began to be done about it. In part, this is because existing law misdiagnosed and fragmented these experiences, producing legal requirements that don't fit the race-based and sex-based nature of the abuse.

Further, as a practical matter, existing law exists and so do the harms of pornography. Frankly, until the civil rights approach was proposed as law, most of these concrete harms were not publicly noticed. Rather obviously, pornography's trade in female flesh, with all its attendant abuses, coexists with existing law. Perhaps it is not coincidence that those who want pornography and defend it also insist that existing law is adequate to any damage it does. A peculiar complacency in the face of human suffering underlies reliance on this legal status quo, since it rather obviously has permitted unrestrained existence of the suffering that constitutes the social status quo.

As a practical matter, police and prosecutors often look the other way, and private lawyers recognize difficult cases to win, because women are stripped of credibility and worth by the very practices that hurt them.

Third, the First Amendment issues. Pornography, as defined in our law, undermines sex equality, a compelling state interest and legitimate concern

of government, by harming people, differentially women. Under current First Amendment law, exceptions are recognized and speech interests are sometimes outweighed by other interests. The most common reason is harm. Harm done by some materials is found more important than their expressive value, if it has any. Compared with the existing exceptions and counterbalances of the First Amendment, the harm recognized by this law meets a higher standard than any of them have met or ever been, frankly, required to meet. It involves at least comparable seriousness of injury to massive numbers of people. Its factual legislative basis is more massive, detailed, concrete, and conclusive. Its statutory language is more ordinary, objective, and precise, and it covers a harm that in some cases is narrower, but never larger than its findings substantiate.

This is not a criminal law. It does not place more discretion or power in the hands of the police or prosecutors. It does place more power in the hands of those who are hurt, giving them a forum, legitimacy to speak, authority to make claims, and the possibility of relief. It does not provide sweeping bans, although it does provide injunctive remedies for proven harms, and it does not constitute prior restraint.

It's not an obscenity law. Pornography does harm: the harms of civil inequality, of sex discrimination, unlike obscenity, for which no evidence of harm has been available or judicially required. Criminal bans on obscenity are constitutional under the First Amendment. This is not a group libel law, either. A direct, not conjectured, connection

has been established between the status and treatment of those who could act under this law and the materials it covers. But, however tenuously, group libel laws are constitutional. This is not a libel law. But it does recognize, as the laws of libel and invasion of privacy both recognize, that words themselves can constitute harms. Laws against libel are constitutionally permitted and privacy is constitutionally protected, in some tension with the First Amendment. Women are not children, but on the basis of the assumption that children in pornography are there by force, criminal bans on its production and distribution are constitutional.

While our law does not strictly arise under any prior recognized theory, each of them evidences concerns and sensitivities and policies that supply the reason why the First Amendment has been outweighed in each instance. These concerns, sensitivities, and policies, the civil rights approach shares, such that each of these theories provide a partial precedent for it.

Expressive values have also been qualified in the interests of unwilling viewers, captive audiences, young children, and beleaguered neighborhoods, for comfort and convenience, and to avoid visual blight. If speech interests become comparatively less valued for constitutional purposes when the materials are false, obscene, indecent, lascivious, lewd, racist, provocative, dangerous, coercive, threatening, intrusive, inconvenient, or unaesthetic, one would think, and we believe, that they should be able to be civilly actionable when they are coerced, assaultive, and discriminatory. State interests in opposing sex discrimination have also

recently prevailed over the interests in protecting speech in several Supreme Court cases.

Coercion, force, assault, and trafficking are not ideas. They are not fantasies. Women's bodies, I might point out, are also not ideas. They are not fantasies, representations, symbols or, in themselves, advocacy either. Pornography is at the center of a cycle of abuse that cannot, our evidence suggests, be reached or stopped without reaching and stopping the pornography that is its incentive, product, stimulus, and realization.

When speech interests are inseparable from illegal acts, as they are here, even justly stringent First Amendment guarantees have accommodated, without being seen as being abridged. We believe that if existing legal standards for constitutionality are applied to our law as if women are human beings, recognizing that harm to women is harm, this law, which is currently under challenge in Indianapolis, on appeal, before the Seventh Circuit, will be found to be constitutional.

Fourth, why the Commission should adopt this approach. Many people enjoy pornography. In our view, that is why they defend it. That is also why there is so much hysteria and distortion of the civil rights approach: it would work. The fact that some people like pornography does not mean it does not hurt other people. As in any instance of conflict of rights, the side one takes is a choice. We do know that so long as pornography exists, as it does now, women and children will be used and abused to make it, as they are now, and it will be used to abuse them, as it is now.

The question is whether we are willing to wait

for each act of victimization that we know will occur, relying on existing law to clean up after the pornographers devastate one mind and body at a time, never noticing the gender of the bodies, never noticing that the victimization is centrally actualized through words and pictures, never noticing that we encounter the pornography in the attitudes of the police, in the values of the laws, in juries, in courts every time we try to prove a woman has been hurt. It tells women how much we are worth that something that few have much good to say about is more important than we are.

TESTIMONY OF

TERESE STANTON

I am a cofounder of the Pornography Resource Center in Minneapolis. It is a community organization for women being harmed by pornography. We conduct a resource library relating to this issue.

How will I ever be able to describe to you the sexual torture, exploitation, and discrimination which pornography promotes in a way that will effectively move you to act to institute legal remedies that will actually address the harm done to women and children through pornography? I do not come before you with findings of social scientists, vice squads, or psychologists. I come to you with the stories of women and children harmed by pornography that will give you evidence that the sexual abuse of your daughters in relationship to

pornography is more violent, more sexually explicit than perhaps in any generation in history.

When the Minneapolis City Council had hearings, while considering a civil rights ordinance to define pornography as a practice of sex discrimination and a violation of women's civil rights, the response in our community was incredible. In an eighteen-month period the Council held seven days of public testimony with capacity crowds of two hundred in attendance. Every women in the city who had a story to tell about her sexual abuse in terms of pornography was allowed to speak. Previous to these hearings, our city had conducted many meetings to consider updating our local zoning and obscenity ordinances. These hearings were appropriately attended by residents, because these types of ordinances had been utterly useless in addressing the underlying problems of pornography, the harms to its victims.

When the civil rights ordinance was introduced, neighborhood groups, with men in the sex industry, lesbians, gay men, women of color, Jewish women, all professionals, testified in support. The chambers of the City Hall were overflowing. For the first time in history, a legislative body was considering legislation that would actually provide legal redress to the victims of pornography by providing a claim of action in civil court.

Finally, the harm of pornography was legally visible. The first provision of the ordinance provides legal remedies for women and children, men and transsexuals, who are coerced into pornography. Women testified about their coercion that was involved in making pornography. For example,

women told how their husbands or boyfriends would take sexually explicit pictures or videos of them. Unbeknownst to them, they would often sell their pictures and videos to distributors of pornography; thus, without her knowledge or consent, she would find herself in pornography available to all men. Married women also told of how their husbands would beat or torture them, all the while filming the abuse.

We heard about the increased use of cameras and street gangs. During gang-rapes on the street, one man would sexually abuse the victim while others would photograph her, then sell the pictures, thus increasing incentive and profit.

The pictures of her rape are protected free speech in this country. Then we also heard stories of teenage girls who are approached by representatives of supposedly legitimate model agencies. They are told it will provide them careers in modeling. The reverse is true. Once she is coerced into pornography, she is stigmatized and blackmailed, thus ruining her chances to become a model irreversibly.

Prostitutes would be filmed while they were tortured. They would be taken to many houses in Minneapolis where they were beaten, chained, and whipped for many hours. All the while the cameras were rolling.

We know pornography would not be possible today if coercion were not used as an effective means of silencing, shaming, humiliating, and blackmailing women.

The civil rights ordinance provides a claim to those who are abused. Again, women come to us

every day to tell about the abuse. They tell how pornography has made their life a living hell. For example, their partner would bring home pornographic videos into the home and make them watch. [Here is described the brutal, depraved, and abusive sex practices contained in these videos.] All this was portrayed as fun, sexually liberating, and pleasurable.

A young woman testified about walking through a forest at age thirteen and coming across a group of armed hunters reading pornography. As they saw her, one said, "There's a live one." They gang-raped her for several hours. An American Indian woman testified that while she was gang-raped by a group of white men, they made constant verbal references to the video game *Custer's Revenge.* The object of this game is to chase, capture, and torture the squaw in order to score points. During the gang-rape in Minneapolis, the men commented, "This is more fun than Custer's last stand." They held her down and ran a knife across the tip of her throat saying, "You like a little pain, don't you, squaw? Maybe we will tie you to a tree and start a fire around you."

A group of prostitutes described how their pimps would show them pornographic films as an instruction guide. They would be brought to houses where groups of men would gather to watch pornography.

They would become obsessed with the desire to reenact the scenarios as specifically as possible. If the movie showed a woman being penetrated by a dog, they may have sometimes up to twenty dogs at a time. If in a movie the woman was being tied up

and beaten, the men would mimic the exact kind of detail.

Women reported having their genitals electrically shocked and nipples cut with scissors while the exact same act is happening to the women in the film.

The third claim in the ordinance is that women have pornography forced on them, whether it is employment or education, in a home or a public place. Women have testified about the saturation of pornography on their jobs. One woman testified that when she was the only woman in an all-male construction crew, her work environment was plagued with pornography. Her coworkers would read pornography at breaks and verbally and physically harass her. She was intimidated because of having to work in the presence of pornography. Her male coworkers painted genitals at the water fountain.

The fourth provision of the ordinance is to make trafficking in pornography, production, selling, distribution accountable. For the first time, women will be able to hold accountable and receive damages from the real profiter of their exploitation: pornographers. Under this provision, any woman who could prove that pornography had violated her civil rights, and was a form of sex discrimination, could bring a complaint against the makers, sellers, and distributors of pornography.

This is a mean moment in the history of women and children in this country. The pornographers are profiting $8 billion in the selling of sexual abuse. You have the opportunity to make this moment in history less difficult. If all the women who

want to speak to you in person were here, given that chance, you would hear again and again how pornography has been instrumental in rape, battery, sexual abuse of children, and prostitution. They would tell you all the ways in which pornography promotes injury and denigration, damages relations between the sexes, and undermines women's equal exercise of speech. The time for civil rights for all women who have been harmed by pornography is past due.

TESTIMONY OF

HELEN GUALTIERI

I am a social worker at Women's Services of the Chicago Loop YWCA, a program that does counseling and advocacy for battered women and rape victims. I would like to share with you the story of one of my clients, and the role that pornography played in the abuse that she suffered.

This woman was twenty-nine years old, and she had recently arrived here from Morocco. Six years ago, in her country, while working as a tour guide, she met a man from the U.S. They became friends, and they started writing letters to each other. They corresponded for six years, on a weekly to monthly basis, culminating in his proposing marriage to her, and asking her to come here to start a new life together. She decided to leave her country and come to accept his offer.

He picked her up in New York and brought her to Chicago where he lives. For the first week everything seemed to be fine. She happened to turn over to him the small sum of her savings that she had brought with her. At the beginning of the second week, he started to show her pornographic films on video. She said that at first she was very confused about why he was doing this. Then he informed her that he wanted her to go out on the street, find men, and perform these same kinds of acts and activities on men. Her instructions were that she should get money for this, and bring the money back to him. He told her that in this country, if you are a foreign-born woman, this is the only kind of job that you can get. He told her that this is very common among women like her that are here. He also told her that, after all, she had to do some form of work to contribute to her expenses that she was costing him. He used pornographic films in combination with these "messages" for a number of days and weeks, appearing as a form of brainwashing.

You also have to remember, with this case, that this woman was totally alone in this country except for him, and had already turned over her money to him, putting her in the position of being totally dependent on him, even for her basic needs of food and shelter.

After the films and instructions, he started taking her out and dropping her off in neighborhoods that were unfamiliar to her, at bars, and telling her that she better have the money from the sexual activity with the men she found when he came to pick her up.

Even though confused, she was not able to prostitute herself, and when he picked her up she was empty-handed. When he would get her home, he would beat her up, because she had not followed his instructions. The abuse included hitting, punching, choking, pushing her down, and other forms of humiliation, such as pushing her face into his own excrement. The beatings lasted for a number of days until finally she escaped from the apartment, located a police officer, and requested help. She stayed at battered women's shelters for a short period of time and attempted to prosecute this man in court, but was unsuccessful.

She felt very overwhelmed, and that she was treated unfairly by the court system in this country, and finally went back to her own country, after being mailed a ticket by her parents in Morocco. The abuser told her that he had not succeeded in getting the money he wanted from her, but that there are plenty of women around in several other countries that he eventually will be successful with. In the end, he faced no consequences for his actions.

In this case, pornography was used as a tool to attempt to force her into prostitution and criminal activity. The physical violence was used to punish her when she wouldn't do what the pornography was supposed to have taught her about her role here. The pornography reinforced her already existing vulnerability, by portraying this exploited position of women as something normal and expected.

Despite her dreams of new opportunities in this

country, she faced, via pornography, a painful and criminal lifestyle, and hence was forced to return to safety in her own country. Pornography assisted in this woman's victimization.

TESTIMONY OF

CHRISTINE CURRIE

I remember the first time I saw pornography. It was a *Playboy* calendar. The model was young, looking seductive and completely naked. I was eleven years old. My first impression was that this was a "girl," not a "woman." She resembled me more than my mother. How hurt my mother must be that my father displays a younger woman's body in their bedroom. I felt so sorry for her. It was like aging is a reality for women and men turned their eyes. As for me, I felt embarrassed, humiliated, ashamed, and shocked. I couldn't believe anyone would put a naked girl on something so trivial as a calendar. These feelings I felt were the same feelings I would feel when my father would come into my bedroom and molest me while he thought I was asleep. My head had been spinning ever since my molestations with the word "why?" The calendar gave me my answer.

When my father was finally confronted by my mother, I told him there was something he could do to make me feel better. I told him to please take down that calendar. He did. I felt back then that it

had set my father up to view me as sexual, and I believe this today.

From age eleven to eighteen every day my thoughts revolved around not being around my dad. School was secondary. I was a top student before my molesting. I didn't want to tell my mother, because I knew it would hurt her. I was right, but I did not realize that I would lose her emotional support for the rest of my life. She became jealous of me. I was her competition. My father seems genuinely sorry for what happened. But back when I was going through my teens, every day was painful for me. Your faith in God is murdered. Your faith that your mother and father love you is gone. Your friends start calling you weird, your mother complains about you being a daydreamer, and you are a mess inside. My mother and father told me to never tell anyone. I saw a special on children with learning disabilities. Their problems and feelings fit my situation exactly. Your friends are enjoying life, and you are trying to figure out a nightmare. This is not fun, sexy, or glamorous—it is the suffering of a child.

For someone like me to see incest glamorized in magazines, rock songs, movies, television, and rock videos, it hurts. It hurts to see a painful reality twisted and prettied up. It tempts and dupes people into seducing children. It shows those children today who are being assaulted, that society accepts their abuse. It reinforces to the child that society doesn't care if they hurt. It desensitizes the true emotions that people should feel towards sexual child abuse.

There is a suffering going on, and I had once

been a part of it. I was lucky. I rebounded from my experience. It took me twenty years. It was like waking up from a sleep I never realized I was in. How can I remain silent when I read about three-year-olds being forced into anal intercourse? Their lifetime isn't long enough to rebound from their wounds! Who will be their voice if I am silent?

Women have been voicing concern over *Playboy* for many years, but because we did not have positions of power and money to back us, our words had no effect. We were not jealous. Our mothering instincts were assaulted. We looked at *Playboy* and saw mock virginity displayed, love and respect eliminated, and older women mocked in cartoons. We saw "girls" seduced into posing. I believe these young women are not into adulthood long enough to comprehend the slick manipulation of the *Playboy* empire, just like young men were called "boys" when fighting a war. We did not see female sexuality. We saw nakedness and vulnerability. We saw someone's child. We recognized pornography. It cleverly manipulates man's physiology, so that he is blinded to truth.

When *Playboy* shows the Playmate's three little girl pictures in the center of the magazine, I feel this is a deliberate set-up to view these little girl pictures in a sexual frame of mind. I feel the child-association words—"playmate," "girl," "play," "boy," "bunny," etc.—are all deliberate. I feel the white bunny with the black bow tie represents innocence as sexual, young girls are sport, and this is the vice of the upper crust. The black bow tie, white bunny, and beautiful girls are also common props for a magician. I have often wondered if

Hugh Hefner read about magic. Magicians were the first experts at manipulating human psychology for entertainment. They knew about symbolism and linguistics.

Playboy is guilty of incest humor, sexual child abuse jokes, and child-association symbols and words. *Penthouse* is guilty of promoting incest (especially in *Forum* magazine), and *Hustler* is guilty of laughing at it.

I saw an article on child sexual abuse in *Penthouse* that was so titillating it read like an endorsement. The writer obtained much of his information from looking at the files at the Los Angeles Police Department with their "full knowledge and approval." *Hustler* once showed the genitals of children in the name of "child abuse." *Hustler's* theme is anal sex. This magazine arouses men with pictures showing rectums. I believe it is this magazine that is arousing men to assault boy children, especially if the man was so assaulted himself as a child. Focusing on rectums takes away gender and age differentiation. More and more of their ads in the back are for anal sex books. How do we know the people in these books are willing models? How do we know they are not the runaway children of yesterday?

In *Children in Chains,* it is stated that a five-year-old daughter was forced to give her father fellatio while he leafed through pages of *Playboy.* How many children must suffer before this cause-and-effect is acted on? More children are harmed by pornography than people were by Rely Tampons; yet this product was pulled off the market for *suspected* cause and effect. The government should denounce pornography as a child protection mea-

sure, not as an anti-porn move. All anti-porn laws *are* child protection laws. Show the children in mixed-up homes that the government has morals and cares. Care for them, and they will return thanks by becoming productive citizens.

When I think that police, attorneys, legislators, jurors, judges, schoolteachers, and doctors of our country can be desensitized to the suffering of a child, it angers me. A child's justice has been thwarted by the preconditioning of emotions. Victims of sexual violence don't get a fair trial. The true emotions that should be felt have been replaced by sexual fantasies. Victims are a curiosity. People come to see us talk about our genitals as if we are some form of entertainment. Our trial becomes an extension of pornography, so much that even nude photos of us are passed around.

Pornography today is the main source of ideas for advertisers, movies, television, music videos, and magazines. Why else do you think we see strippers bending over with their rears on our televisions as on "Miami Vice"? Why else the camera angles similar to slick porn shots of girls in thigh-high-cut swimsuits and exercise leotards? *Vogue* magazine has models, who look like fourteen-year-olds, pouting while advertising underwear with the caption, "out of his drawers and into yours."

Are people really noticing the words in music and porn movie titles nowadays? Are they hearing the words: "an innocent babe for an old man's sin"; "she lost her virtue before she could write"; "Hey little girl are you all alone? Is your daddy home? Can he do all the things that I want to do? I've got this burning desire. I'm on fire." "Come see your

papa. I'll be your satisfier; I'll be your pacifier. Come see your papa." Movie titles are *Little Oral Annie, The Young Like It Hot, The Younger the Better, Daddy's Little Girl, Taboo, Teenage Runaways, Babyface,* and *Tender and Tight.* Do they see the child-association words fused with porn?

People are hypnotized by pretty images. Even a hypnotist will tell you that television hypnotizes. Pretty pictures in *Playboy* are pornography just the same as some cheaply made hard-core bestiality. If a beautiful young woman was injected with a lethal injection and she lay in a beautiful gown in a beautiful room, would not it still be a murder?

As much as I deplore pornography, there is something that worries me more. It's MTV. I have seen more and more subtle images of children being viewed as sexual. This industry is slowly, quietly, methodically presenting children as sexual images. They are also pro-porn, which is blatant and obvious. They are successfully fusing pornography with rock and roll and putting it forth to children.

Warner Brothers takes Prince and markets him into a superstar. They knowingly took someone who started reading porn at age eight, strips to his underwear at concerts, and simulates intercourse and fellatio on stage. This is with young children in the audience. He has a song about incest. They took a sexual deviant and put him forth to our children. They gave children pornography through his music. They call him an "artist" and a "genius." He is nothing but a clever manipulator who knows the stimulus of pornography. Even to-

day, his new songs are loaded with pro-porn slang, and children sing his songs.

When I think that Warner Communications owns MTV, Warner Brothers, and Nickelodeon, I get shivers up my spine. Nickelodeon is supposed to be a children's station; yet I have seen things on there that are pro-porn. It has a program called "Nick Rocks" which shows pro-porn videos, violent videos, and even ones which I think are suggesting kids as sexual. Nickelodeon cuts down classical music and parents. I see this station as nothing but a preconditioner for MTV.

Children as sexual is a big thing in this country and around the world. The information is played up in the media only when it's in regard to a family or day-care. News and host shows tell how easy it is to get away with it. They offer no answers—just advertising and go-ahead cues for those out there contemplating. The major networks completely suppress the pornography connection or the fact that Los Angeles is the center for child porn and child prostitution in this country. Ted Turner's "Freeman Reports" was the only program in which pornography and sexual child abuse was discussed. Why does MTV distract the eyes of the world to Africa when their own backyard (Los Angeles, Hollywood) is the nation's center for child porn and child prostitution? How hypocritical for this industry to exploit the neuro-linguistics associated with child abuse and pornography and then try and convince its viewers that they care for kids.

This month (July of 1985) our children's star, Madonna, is in *Playboy* and *Penthouse.* Madonna's

sexuality is her clever mixing of child and sex associations. Marilyn Monroe did the same thing. She was both blatantly sexy and shy. She said sexy words but with a child-like voice. She was also sexually abused as a child and, appropriately enough, *Playboy's* first centerfold. Her precocious sexuality was exploited fully in Hollywood. I think she later realized this. People forget this lady committed suicide.

Men's magazines stimulate with taboo cues. The problem is that those individuals who have been victims of child abuse themselves are hypersensitive to these cues. They see these cues as reinforcers that children are sexual. These cues stir up neural memory systems in confused and susceptible people. The cues are becoming less and less subtle. Now they are often downright blatant. It is truly a disgrace that *Hustler's* cartoons are printed in this nation.

Fear is what gives the porn industry power. It silences its models and its prostitutes. It is what makes people submit to anything. Fear is the stimulus that is fused with sex in pornography. Fear is what the *Playboy* symbol symbolizes for me.

If these pro-incest pornography magazines are not stopped, people will be duped into molesting infants. I feel this would be conditioning a generation of hedonists beyond our comprehension. I once heard a neurologist say genes can be modified by environmental manipulation. Who's to say that this is not what's being done to child abuse victims?

TESTIMONY OF

REVEREND SUSAN WILHEM

I had not realized the extent of the harm that pornography had done to me until a year and a half ago when I was working on a photo montage of the kinds of pornography for an educational forum. I came across a picture of a position that my ex-husband had insisted we try. When we did, I found the position painful; yet he was determined that we have intercourse that way. I hemorrhaged for three days. I finally went to my doctor, and I recall the shame I felt as I explained to him what had caused the bleeding.

Pornography has long been in my life. My father used soft-core pornography. He started mostly with adventure magazines, and also had some of the true detective magazines in the house. I was not supposed to read them, but I read everything that was in the house. The magazines presented women in two ways: either the woman was a dumpy, nagging fishwife with her hair in curlers, or she was beautiful, sexy, and always available. The dumpy ones were sexually used also, but the man did not appear to enjoy them. Those magazines were my primary education about the roles of women in our society. I still recall a story from a true detective magazine. A man killed and raped a young woman and left her body near a culvert. Later that day he returned to the cold corpse and raped it again. These magazines also influenced my expectations about men and sexuality.

Most of my sex life with my ex-husband was very abusive. He had a lot of pornography around

the house, both the slicks and the hard core. He always went to another city to buy it. The first time I recall his visiting an adult bookstore was when we were traveling to the East Coast and he stopped in Rockford, Illinois, two states away from where we were living. He frequently suggested that our sex life would be more fun if I would be willing to try some of the things he saw pictured in the magazines. He often told me that our sex life and I were dull, blah, and awful.

When we were first married, he did not use pornography and did not drink. He started drinking first, but the sex became especially abusive after he started using pornography.

If he decided that I liked something, he would try to kill it, like the dogs we had. I have recently learned that this is also a theme of pornography. I am convinced that he tried to kill me more than once. He also had many subtle ways of trying to kill my spirit.

Once we saw an X-rated film that showed anal intercourse. After that, he insisted that I try anal intercourse. I agreed to do so, trying to be the available, willing creature that I thought I was supposed to be. I found the experience very painful, and I told him so. But he kept insisting that we try it again and again. He reinforced his insistence with verbal abuse. He told me that my vagina had become as sloppy as an old sow's, and that he could not get pleasure any other way.

As part of massaging my breasts, he would pinch and bite me. Whenever I would say, "That hurts—stop," he would say, "No, it doesn't." And the abuse would continue. I became numb. I did

not know what I felt. One time, near the end of our marriage, he said, in reference to our having intercourse, "It is supposed to hurt." Something started to change for me then.

It seems to me that businesses in this country are run on what their products earn, and right now pornography earns $8 billion a year. If pornography were not so profitable, fewer people would be investing in it and making it. One reason pornography is so profitable is that the manufacturers are not sued for the harm the product causes and for the harm caused to the women and children who are often coerced into making pornography.

I have been harmed by pornography. Obscenity laws did not prevent the harm, and the harm caused by pornography will not be stopped by hiding it in back rooms, or by selling it under the counter, or by putting it under opaque covers. The harm caused by pornography will stop when the cost of causing the harm is greater than the profit.

I would like some legislation that gives victims the right to sue those who make the pornography, those who distribute it, and those who sell it. In other words, all those who are profiting by the abuse and degradation of women and children.

The pornographers do not appreciate our efforts to speak out on this subject. Last summer I participated in a news conference and shared some of my experiences as a victim of pornography. A reporter from a local newspaper used the material he gathered at this conference to write an article that was published by *Forum*. *Forum's* subtitle is "The International Journal of Human Relations." You are not likely to find articles about summit

meetings between Washington and Moscow or between Israel and Lebanon. Rather, the featured articles include "Can Science Make an Eternal Erection?" or "How to Fix a Lousy Lover." I was fortunate to be informed as soon as the magazine hit the stands. I had my phone number changed the following day. Another woman who was mentioned in the article did not fare so well. She received threatening phone calls and found threatening notes in her mailbox and on her car. When she contacted the police, she was told they could do nothing.

When we speak out against pornography, we risk our lives. We speak out because we feel strongly that pornography can be stopped and that it must be stopped because it destroys lives. Last fall, someone took several shots at the windows of the Pornography Resource Center. The shots were fired from the roof of the pornographic theater across the street. People who profit from pornography do not want us speaking out, and they will continue to try to victimize us and scare us away. They want us silent. We have been accused of threatening the First Amendment right of free speech. But every time one of us publicly speaks out, we are threatened, harassed, and annoyed by gunshots, by being published in pornographic magazines, and by threatening notes and phone calls. I ask you, whose free speech is really at stake?

TESTIMONY OF

JAMES E. SCHELLENBERG

I have been a victim of pornography since the late forties. I got started at the age of twelve soon after my father died in 1948. My dad had been an amateur photographer, and it was known that we had a motion picture projector in our home. One day some boys showed up at our door with a couple of porno movies and wondered if I would like to see them. Thus began my long and sordid involvement with pornography that lasted into the mid-seventies.

Those two movies were crude by today's standards, but they showed naked men and women in various sexual acts and poses and were extremely stimulating to an about-to-become teenager. It is pertinent to this testimony that today, at the age of forty-eight, I am still unable to rid my mind of the scenes in those films. I will say more about this "sticking power" of porn later. For weeks and months my friends and others gathered in my basement to view those films; we showed them over and over and over again.

I became very much aware at an early age of the nonsatisfying, nonfulfilling nature of pornography. Porn does not quench the thirst for porn. The more you have or view, the more you want. I certainly did not understand the ramifications of all this then. Now, however, I see it for what it really is. Lust begets more lust, purely and simply.

The two movies that gave me entry into the world of pornography led from one thing to another. My friends and I started to collect magazines

and pictures. In my junior high school years in the early fifties, the main attraction was decks of playing cards, each card showing naked men and/or women in different sexual poses and positions. The magazines we got our hands on were mild compared to what is available today. Nevertheless, we stared and lusted upon them, hour after hour.

Porn does not stand still. It feeds upon itself; with each new publication, every new issue, as time goes on, the level of perversion and licentiousness increases. The decadent becomes more decadent. The scenes, the stories, the poses, the topics; evil once again does not stand still!

I was made even more aware of this ever-increasing, mutating evil of porn while working with a young man in our youth group. He was only fifteen or sixteen when I met him several years ago. He could not keep his eyes or hands off the girls in our group. It would not be uncommon to see him off in a corner or outside the building necking with one of the girls. I was really able to identify with him when I found out he was into pornography. My son spent some time at this boy's house and on two occasions was able to talk him into giving up his collection of porn magazines. My son brought a one and a half foot stack of pornography back each time to me in a brown shopping bag. As I tore these magazines up and burned them page by page behind the garage, I could not help but glance now and then. I could not believe how sick and depraved these magazines had become! As much time as I had spent ten, twenty, thirty years earlier staring and looking at porn, I would never in my wild-

est dreams have conjured up such thoughts and images in my mind as I saw on those pages.

Even though the age limit for purchasing pornography is supposed to be eighteen, much pornography ends up in the hands of kids. The young man I just mentioned had dozens of porn magazines. My kids see it in school. We live in the country and yet, as we walk in the woods and parks and along the railroad tracks that run near our place, it is not unusual to run into discarded pornography. My children often found it in various places as they were growing up. We need to ask seriously what kind of husbands and fathers we are raising today with all this warped, sick portrayal of womanhood and manhood.

Children are not kept out of X-rated movies either, let alone cable porn in the home. My friends and I traveled to downtown Detroit to the burlesque theaters to watch the vulgar comedy routines and strippers. The sign outside read, "You must be eighteen," but we were fourteen, fifteen, and sixteen and entered with no difficulty. The scenes in X-rated movies and on cable porn today are a far cry from strippers and seamy comedians at burlesque theaters thirty years ago. I have watched sodomy, oral and anal sex, on the screen, and I do not believe males or females can watch this perversion for long and ever expect to maintain a normal sexual existence within themselves or form a normal sexual relationship with another person. Something gets disabled in the process of involving oneself in this sort of perversion. The change is devastating, and it is permanent!

I mention females because I sense that women are developing an interest in pornography. My oldest daughter has worked with young women who frequent X-rated movie houses. Some go several times a week and have tried to coax my daughter into going with them. It has long been accepted that there is an "animal" side to male sexuality. What kind of mothers will female porn adicts make?

I have also spent time in topless go-go bars. I wonder, what chance does a wife and mother have of pleasing a husband, fulfilling his needs, when he spends time frequenting these places? Is the public good being served? Are there any benefits to society in allowing the existence of these places?

My only exposure to cable porn is in motels on business trips. I find that when entering a motel room and turning on TV, I am often immediately confronted with cable pornography. Entrepreneurs at the top distribute pornography for "competitive reasons" and claim to have "no control" over what is being aired. I am referred to as a "sensitive guest" in this man's motel and am told that I can choose to turn off anything I feel is "not acceptable." What kind of response is this? Do our leaders care about the health and stability of our nation, our families, the next generation? Must business, including the media, continue to aim at prurient interest to make an honest dollar?

Today, at the age of forty-eight, with four children, two boys and two girls ranging from sixteen to twenty-three, I still struggle daily with the images, the thoughts, the yearnings, the lusts cultivat-

ed during those years of self-indulgence in pornography. They are permanently embedded in my being. I referred to the "sticking power" of porn earlier in this report. The thoughts daily affect my relationship with my wife, my daughters, and women with whom I come in contact, even in church. I am constantly repressing unhealthy thoughts and lusts, cravings and yearnings cultivated during those years. My sexual existence is not normal. My relationship with my wife and daughters is stunted.

I am very grateful that I have not been involved in sexual child abuse, rape, incest, molestation, extramarital affairs. Fortunately, I have not succumbed to the intense desires, but I know the thoughts of those who do these things. The many, many hours spent nurturing these thoughts and passions left indelible marks inside me. I am sensitive to the thoughts of other men at work and during leisure times. I know very well their thoughts as expressed in their remarks and gestures. Their lusting after women is made evident by their eye movement and facial expressions. I do not need expensive studies and learned experts to link involvement with pornography to the tremendous deterioration of family life and marriage breakdown in our land today. Certainly there are other factors, but—make no mistake about it—pornography takes its toll!

V.

Excerpts from

Official Transcript of Proceedings

BEFORE THE

ATTORNEY GENERAL'S COMMISSION ON

PORNOGRAPHY

DATE: SEPTEMBER 12, 1985

PLACE: HOUSTON, TEXAS

TESTIMONY OF

DR. DIANA SCULLY

I am here because of my research on convicted rapists. This research consists of over five hundred hours of structured interviews covering a wide range of topics, with a sample of one hundred and fifteen convicted rapists, all incarcerated in the State of Virginia. I am an Associate Professor in the Department of Sociology and Anthropology at Virginia Commonwealth University.

While the focus of the study is not on pornography and the purpose of the research extends beyond the scope of this hearing, some of my findings are relevant to the issues before the Commission. This morning I want to talk particularly about the role of violent pornography in justifying rape.

Consistent with my background and training as a sociologist, I perceive rape as a learned cultural phenomenon in the majority of cases, committed by otherwise normal men. Learning includes not only behavioral techniques, but also a variety of values and beliefs that are compatible with sexual aggression against women. As an aside, I should say that I reject the idea that the majority of rapes can be explained as a sudden impulse triggered by reading a pornographic magazine or an abundance of testosterone. That's much too simple an explanation.

Therefore, to fully understand rape as a cultural phenomenon, it's necessary to investigate those factors within a society which influence the acquisition of attitudes that legitimize sexual violence.

As a sociologist, I am concerned about the proliferation and growing accessibility and popularity of violent pornography and pornography which is demeaning to women, because it is a form of socialization that transmits and perpetuates those values and beliefs that are linked to rape.

As this Commission is aware, the nature of pornography has changed in a major respect since the 1970 Commission issued its now controversial conclusion of no relationship, positive or negative.

Most of the pornography currently available for public consumption fuses sex with violence. It's this type of violent pornography, in contrast to erotica, that concerns me. To illustrate this point, in a recent study, the content of 428 adult-only paperbacks were analyzed. The researcher, Smith, found that a major theme was the use of force on a woman who initially resists. However, regardless of the type or amount of force used, the victim is almost always depicted as eventually becoming aroused and, to her humiliation, responding physically.

Contrary to this image, research shows that the trauma of rape is so great that among other adverse consequences, it disrupts sexual functioning, both frequency and satisfaction, for the overwhelming majority of victims, at least during the period immediately following the rape, and in some cases for an extended period of time. That research has been carried out and replicated by a number of sociologists and psychologists.

In addition to the obvious depersonalization and devaluation of women, violent pornography conveys several potentially dangerous messages. First, the use of force and violence are presented as part of normal male-female sexual relations, thus trivializing and even normalizing rape.

A second myth suggests that women desire and enjoy rape—i.e., that sexual violence has a positive consequence; in fact, it's low risk because of the positive consequence. This message may have more potential for damage than the image of the violence per se, and it, in fact, is this message that distinguishes rape from other fictional depictions of violence; that is, in fictional murder, bombings, robberies, et cetera, victims are never portrayed as enjoying themselves. Such exhibits are reserved for pornographic displays of rape.

In short, violent pornography promotes damaging myths, such as: Victims cause rape, and women are sexually aroused by sexual violence. In turn, much of what you've heard demonstrates that strong belief in such rape myths results in restricted definitions of rape, not guilty verdict and nonjury rape trials, denial of or reduction of perceived injury to rape victims, and blaming rape victims for their victimization. Thus violent pornography contributes to an environment in which rape is trivialized, and sexual aggression is made to appear acceptable, even expected behavior under certain circumstances.

Causality and the nature of the relationship, if any, between violent pornography and sexually aggressive behavior is obviously a central issue. Others will address the results of laboratory research

which suggests that violent pornography increases male aggressiveness towards females and intensifies belief in rape myths.

For my purposes it is equally critical to understand the nature of the indirect relationship between violent pornography and rape. That is, I would argue that the more cultural support, in forms like violent pornography, that exists in a society for hostile and aggressive acts towards women, the more likely such acts are to occur in that society. Armed with the myths celebrated in violent pornography such as women secretly wanting to be raped, men who do rape can feel like their behavior is within the moral boundaries of the culture.

Indeed, my data on rapists indicate that the stronger the belief in such myths, the easier, or at least the less reprehensible, sexually aggressive behavior becomes.

Before presenting the data relevant to this point, I just want to describe my sample of rape very briefly. The rapists who participated in this research represented a wide range of crimes against women, from simple attempted rape to aggravated multiple rapes to serial rape murder. The majority had previous criminal records, but not rape, and they were young, between the ages of eighteen and thirty-five at the time of their offense. That tends to be a critical element. Roughly an equal number of white and black men were interviewed. In short, the sample was a fairly typical group of convicted rapists.

Now, although the focus of the research was not pornography, all rapists, as well as a control group consisting of seventy-five other felons who

were also interviewed, were asked to respond to the question: "Before coming to prison, on the average, how often did you use pornography or sexually explicit magazines, books, or movies?"

The range of answers included "often," "sometimes," "seldom," or "never." The data reveal that 65.3 percent of rapists compared to 56.7 percent of controls indicated they had used pornography, and additionally rapists used pornography somewhat more frequently than controls—30 percent of rapists responded "often" or "sometimes," compared to 22 to 23 percent of controls.

These figures, however, should be interpreted with caution. First, lacking a sample of nonincarcerated men, there is no comparable basis against which to measure the felons' pornography consumption.

Second, the men probably understated their experience with pornography, not deliberately, but because of the way I asked them the question, the way the question was worded. It became clear midway through the research, when it was too late to change the question, that the men were interpreting the word "use" very literally: masturbating to orgasm. Had the word "viewed" been substituted, the self-reports of both groups might have been higher. Nonetheless, these data do establish that the majority of these convicted rapists were familiar with pornography and that their use of such material was somewhat greater than the control group.

Rapists and controls were also administered a series of attitude scales measuring their beliefs on a number of rape-related variables. In general, as I

predicted, the two groups were similar on a number of these variables.

However, one scale, belief in rape myths, did distinguish rapists from other felons, with rapists significantly more extreme in their belief than controls. For example, among rapists, 45 percent believed women like to be hit because it means men care for them; 69 percent agreed that most men accused of rape are really innocent; 65 percent believed women cause their own rape by the way they act and the clothes they wear; and 54 percent believed women should be responsible for preventing their own rape.

The corresponding percentages for the other felons were uniformly lower, between 10 and 42 points, but the difference was not always statistically significant. Also important, among rapists a strong belief in rape myths was statistically correlated with violent and hostile feelings about women, thus forming an obviously dangerous constellation of attitudes.

It's been suggested that rape myths act as a neutralizing agent, allowing potential rapists to turn off social prohibitions against injuring others. My data are methodologically incapable of coming to such a causal conclusion; however, what my data can demonstrate is that rape myths provide men who do rape with a structural position from which to justify and excuse their own sexually violent behavior.

All the rapists in this study drew on myth and stereotype to explain themselves and their crime to some degree, but it was particularly true of one

type of rapist, whom I have labeled "denier." That was approximately half of the sample. These were men who admitted to having had sexual contact with their victims, and in some cases even acknowledged using force on a woman and inflicting physical injury. Despite this, however, they did not define their actions as rape. Instead, they attempted to show that their behavior was situationally appropriate by presenting their victim in a light that made her appear culpable regardless of their own actions.

Five themes, the same themes found in violent pornography, run through rapists' attempts to justify their rapes: One, women are seductresses who lure unsuspecting men into sexual action; i.e., women cause rape. Two, women mean yes when they say no. Three, women, particularly rapists' victims, eventually relax and enjoy rape; i.e., rape has positive consequences. Four, nice girls don't get raped; so their victim got what she deserved. And, five, I'm guilty of only a minor wrongdoing; perhaps I am just a little oversexed. I want to cite a few samples to illustrate these themes.

It is significant that while this group of men denied rape, they nonetheless described their victims as unwilling, at least initially, indicating either that she had resisted or that she had said no. However, even though a weapon had been present in the majority of cases, these rapists justified their behavior by arguing that either the victim had not resisted enough or that her no had really meant yes.

For example, one man who, while serving time for a previous rape, was convicted of attempting to

rape a prison nurse, said of his victim, "She semi-struggled, but deep down inside I think she felt it was a fantasy come true."

In another case a thirty-four-year-old man convicted of abducting and raping a fifteen-year-old teenager at knifepoint as she walked on the beach told me, "Women like to be overpowered before sex and then to dominate after it begins."

He said, "A man's body is like a Coke bottle. Shake it up, put your thumb over the opening, and feel the tension. When you take a woman out, woo her, when she says, 'No, I am a nice girl,' you have to use force. All men do this. She said no, but it was a societal no. She wanted to be coaxed. All women say no when they mean yes, but it's a societal no so they won't have to be responsible later."

Not only did these rapists believe that women say no when they mean yes, but they also had believed and expected others to believe that once the rape began, their victim relaxed and enjoyed it.

For example, a rapist who had hid in his victim's closet and later attacked her while she slept argued that while she was scared at first, once they got into it, she was okay. And he continued to believe that he hadn't committed a rape because "She enjoyed it and it was like she consented."

Indeed, even a young man who had abducted, raped, and brutally murdered women might have attempted to improve his self-image by telling me that he wasn't such a bad guy because, "At least I gave them some good sex first."

Like the image of women projected in violent pornography, the ability of these men to objectify and depersonalize their victims empowered them

to rape. In fact, it is probably accurate to say that in a number of cases it was their fantasy, not the victim's, that had come true.

Typical of this one, one man explained to me, "Rape gave me the power to do what I wanted to do without feeling I had to please a partner. I felt in control, dominant. Rape was the ability to have sex without caring about the woman's response. I was totally dominant."

The image of rape in pornography is that one doesn't have to be concerned about the victim's response. A gang-rapist commented, "We felt powerful, we were in control. I wanted sex and there was peer pressure. She wasn't like a person, no personality, just domination on my part. Just to prove I could do it, you know, macho."

Indeed, the pleasure that many of these men described they received from rape reveals the extent to which they perceived women as sexual commodities.

One rapist expressed this contemptuous view of women when he confided to me, "Rape is a man's right. If a woman doesn't want to give it, the man should take it. Women have no right to say no. Women are made to have sex. It's all they are good for. Some women would rather take a beating, but they always give in. That's what they are good for." His victim didn't give in, and he murdered her.

These are just a few of the dozens of examples I could cite. In the interest of time, let it suffice to say that when the accounts these rapists gave of their crimes are analyzed, it is clear that many of them raped because their value system provided no compelling reason not to do so.

When sex is viewed as a male's entitlement and aggression as appropriate, rape is no longer seen as criminal, and it is also possible to deny the existence of a victim.

Clearly the justifications these rapists used to explain themselves and their behavior are buttressed by the cultural view of women as sexual commodities, dehumanized and devoid of autonomy and dignity. In this sense, the sexual objectification of women central to the image of women in violent pornography must be understood as an important factor contributing to an environment that trivializes, neutralizes, and ultimately facilitates rape.

TESTIMONY OF

DAN

I am a successful professional man, a management-level employee with a large corporation, married with a family, and I have been a porno addict for more than forty years. I was not born with this addiction. I was introduced to it at the age of nine. At that age I was a member of the YMCA, and during the summer months my parents would permit me to go swimming there almost every afternoon.

On my first trip to the club that year, I met a young man in his early twenties who befriended me and quickly won my confidence. About a week after we met, he talked me into going to the movies

one day instead of swimming. After the movie, we walked down by the railroad track and climbed into an empty boxcar. He took some little cartoon books out of his pocket and showed them to me. I had never seen anything like them in my life until that day. They showed several cartoon characters in various stages of fornication and oral sex. While we both looked through the book, he began to masturbate and encouraged me to do the same.

Following his instructions, I had an erection, and a few moments later he performed fellatio on me. From that day on through the remainder of the summer, that same scene was repeated at least three times per week; and he warned me to never mention it to my parents.

He left town after I started back to school, and I never saw him again. At that age, the idea that what had taken place was wrong never entered my mind; but by then I was conditioned to associate pornography with masturbation.

During the next two years I do not recall having masturbated, which I attribute to the absence of pornography in my life. I did, however, at some time during my early teen years acquire several of the small cartoon books from my friends at school. They were readily available at ten cents each or three for a quarter. When I was around fifteen, I suddenly lost all interest in them and disposed of them. I suppose it was because I was beginning to take notice of girls.

It was on a trip to Europe, during my military service, that I had the opportunity to purchase actual photographs, books, and magazines depicting explicit sex acts. I then resumed my former habit;

again the stimulus was pornography. This continued for two years until I met and married my wife. After my marriage, I once again stopped buying sexually explicit materials and again disposed of all the material I had collected.

However, the demon which had invaded my mind in that railroad car so many years ago was not to let me alone. Without any consciousness on my part, I had been thoroughly conditioned to relate pornography with my own sexual experiences.

In addition to my sexual dependency on pornography at age twenty-two, I began to experience problems with social behavior. I avoided close friendships with males and did not form typical male-pattern relationships.

There were periods when I was unable to concentrate my thoughts on anything other than mental images of sexually explicit material. I remember going into a newsstand to purchase a paper one day and saw the first issue of *Playboy* magazine. It was like a magnet compelling me to buy a copy. It was as though I had no choice in the matter.

After buying that first issue of *Playboy,* I bought every issue that followed, and the whole process began all over again—and I realized I was hooked on sexually explicit material.

After the court battles with *Playboy* were over, another publication began to appear, and I bought them all. Over a three-year period I managed to collect more than two hundred books, magazines, and films.

It became increasingly difficult to keep them concealed from my family; so occasionally I would tire of certain materials and dispose of them, all the

time telling myself I was going to stop buying them. But it was only a matter of time until I purchased new ones which provided a fresh and new stimulus.

By now the industry of sexually explicit material was becoming more bold, and each time the publishers and distributors were challenged in the courts with obscenity laws, the plaintiffs lost.

People like me no longer were forced to settle for simple nudity magazines; hard-core stuff was plentiful, in good quality, and in full-color.

During the sixties and seventies, I purchased thousands of explicit sex materials, including books, magazines, and 8-millimeter movies. I saw hundreds of films at adult movie theaters. I tried many times to stop my habit and would often dispose of everything I had collected. I would burn the material, hundreds, even thousands of dollars going up in smoke, only it never stopped. Eventually the urge would come over me, and it would start all over again, each time my appetite becoming more bizarre.

I have never been in an adult bookstore in my entire life. I have never purchased materials which involved children, animals, bondage, S&M, or homosexuals. I felt these things were subhuman and revolting, but I also knew it could be just a matter of time until they too became a stimulus. I don't think I could have gone on living had I become involved with a child or another male.

It was at this point I realized I needed professional counseling, which I received. One thing you must understand about sexually explicit material is that it is very much like substance abuse, in that the user becomes dependent upon material to satisfy a

mental and physical demand. It exercises tremendous control over a person's mind.

Sometimes you try not to think about it, but it creeps in suddenly without warning; and once it takes control of your thoughts, you must satisfy that demand.

To be held in bondage to pornography is a terrible thing for a person to live with; and its grasp on people's lives extends into all levels of society—from truckdrivers to ministers, judges and political leaders. Fortunately for me, I was able to recognize my problem and had the desire to overcome it.

That, however, in no way is to suggest that I am cured. What it does mean is I am in control of my habit—in regression, you might say. I have not purchased sexually explicit material for over four years, but the demon is still there, just waiting for the opportunity to regain control, and it requires constant vigilance on my part to keep it under control.

I cannot allow myself to be in a situation where I might weaken and once again fall prey to pornography. I cannot and will not patronize a store that displays and sells any type of sexually oriented material. I must carefully select the television programs I watch and the movies I see. Sometimes I am caught off guard. When someone leaves a copy of *Playboy* or *Penthouse* lying around, I must leave as quickly as possible, because I know if I took so much as one little peek, it would start all over again, and I cannot afford to let that happen.

There are thousands, perhaps millions, of men and women just like me who have been enslaved by sexually explicit material, and their number contin-

ues to grow with increasing availability of X-rated video cassettes and the accessibility of pornography. I personally know many of them myself. They may think it is harmless and simply adds a little spice to their sex life, but in reality they are playing around with dynamite. Sooner or later, most of them will be hooked just like I was.

TESTIMONY OF

DIANE HERCEG

My son, Troy Daniel Dunaway, was murdered on August 6, 1981, by the greed and avarice of the publishers of *Hustler* magazine. *Hustler* magazine published the article "Orgasm of Death" in its 1981 edition. Its publishers edited the article, illustrated the article, distributed the article, and even mailed the article to home addresses.

The article graphically depicted autoerotic asphyxiation.

At the time, *Hustler* knew or should have known that the magazine would end up in the hands of youth under the age of eighteen and children. Their own surveys showed that a portion of their mail subscribers were under the age of eighteen, and that the vast majority of the homes to which the magazine was mailed had children in the home.

My son read the article "Orgasm of Death," set up the sexual experiment depicted therein, followed the explicit instructions of the article, and

ended up dead. He would still be alive today were he not enticed and incited into this action by *Hustler* magazine's "How to Do" August 1981 article, an article which was found at his feet and which directly caused his death.

I feel these magazines should not be sold anywhere because most people do not care who buys them and will sell them to anyone just to make money. Even if only adults buy them, they are in homes where young people can see them. Most magazine publishers will print anything just to sell the magazines, not caring what happens or who gets hurt or killed, or how many families are nearly destroyed by the effects of losing a child or a family member.

I think the government should step in and put a stop to all pornography before any more lives and families are destroyed. I hope that the government will accept its responsibility in putting these peddlers of smut and death out of business forever.

VI.

Excerpts from

Official Transcript of Proceedings

BEFORE THE

ATTORNEY GENERAL'S COMMISSION ON

PORNOGRAPHY

DATE: OCTOBER 16, 1985

PLACE: LOS ANGELES, CALIFORNIA

TESTIMONY OF

BRENT D. WARD

My remarks concern primarily the commercial use of automatic telephone answering equipment to offer sexually oriented entertainment to callers, or the so-called Dial-A-Porn industry.

My experience with this matter is derived primarily from my prosecution of the case of *United States of America v. Carlin Communications, Inc.* in Salt Lake City. This is the only case initiated so far by the Department of Justice in which a Dial-A-Porn provider has been charged with violating federal obscenity laws.

In my view there is no more timely subject for this Commission to consider than the one chosen for this hearing, the technology and distribution of pornography. If we agree that it's the sole purpose of pornographers to communicate obscene ideas for profit, then we begin to appreciate the importance to the pornography industry of innovations in the communications field. Driven by their avarice, the purveyors of pornography do not hesitate to seize upon every new development in communications which makes it possible to distribute material which is more lurid to more people for more money.

The American people thus find themselves today at the vortex of heated competition among meg-

ascale enterprises engaged in the crass exploitation of human sexuality, each seeking a competitive edge in the multibillion-dollar pornography business through innovations in both content and means of distribution. No one would deny that these forces have wrought remarkable changes on the American social landscape. Some would also agree that these changes signify a spiraling disintegration of the social order.

A recent *Wall Street Journal* article describes the process of attitude conditioning or desensitization that has occurred in the public market for sexually-oriented publications during the past ten years. A process of social change is leaving less aggressive distributors of adult material behind in the dust. This article refers to Playboy Enterprises as one victim of these social changes. Circulation of *Playboy* magazine is reported to have dwindled to four million from seven million in 1972.

By offering something unique, the Dial-A-Porn business has been reaping almost unbelievable financial rewards. In fact, there is perhaps no better illustration of the financial benefits to be gained by applying new technology to the dissemination of pornography than Dial-A-Porn. There are two basic types of telephone sex services, or Dial-A-Porn, currently available in the United States. One type engages a performer in a live telephone conversation with the customer lasting up to forty-five minutes for a charge of between $15 and $30, billed to the customer's credit card number. The performer will converse in terms as sexually explicit as the customer desires. As in the case with both forms of Dial-A-Porn, these so-called performances are in-

tended to stimulate autoerotic conduct by the customer. These live calls do not use dial-it technology.

The other form of Dial-A-Porn uses the telephone system's Mass Announcement Network Service, or MANS, also called dial-it service, by which many kinds of prerecorded messages are available through automatic switching equipment, including prayers, racetrack results, weather forecasts, time and temperature information, children's stories, conversations with Santa Claus, and sports scores. The prefix for these dial-it numbers is 976. This service was once available to subscribers only on a first come-first served basis.

With the advent of telephone deregulation, however, some telephone companies began offering dial-it service on a lottery basis. Carlin Communications of New York City was a winner in such a lottery in 1982, and by February 1983 Carlin was offering Dial-A-Porn services over three lines which it had either won in the lottery or leased from other lottery winners.

Dial-it companies can communicate fifty-seven-second, prerecorded messages to a maximum of fifty thousand callers per hour without a busy signal.

Carlin's Dial-A-Porn service in New York City received eight hundred thousand calls daily during May 1983, for example, and one hundred and eighty million calls in the year ending February 28, 1984, the first year of its operation. By comparison, the second most popular dial-it service in the New York metropolitan area during the same period was the service offering racetrack results. Seventy-nine thousand calls per day or twenty-nine million calls

per year were made to that number. Eighty percent of the Dial-A-Porn calls to Carlin's numbers are local calls and 20 percent are long-distance calls.

Companies such as Carlin, and there are now several such companies, receive cash payments from telephone company revenues calculated according to local tariffs. Under these tariffs the company's share ranges from two cents to nineteen cents a call for the one-minute calls. At the tariff rate of two cents per call, the calls to Carlin's New York City numbers generated revenues for Carlin of $16,000 per day and $3,600,000 during the year ending February 28, 1984. Carlin has since expanded its service to other cities across the country, including, among others, Philadelphia, Los Angeles, San Francisco, Sacramento, and other cities in California, I understand. In some of these cities, two-minute recordings are offered for a charge of $2 per call, of which Carlin keeps $1.45.

Calls placed to Dial-A-Porn numbers from outside the local telephone service area are of course long-distance calls, and they are billed to the customer. It's my understanding that under applicable tariffs the toll for a 976 long-distance call is somewhat less than the toll from other long-distance calls. A telephone call from Salt Lake City to a Dial-A-Porn number in New York City triggers telephone toll equipment which causes a charge to appear on the caller's bill for the billing period during which the call was made. It is a common misapprehension, particularly among youthful callers, that these calls do not result in a charge to the customer. As a result, charges for calls to Dial-A-Porn numbers have surprised many parents and

appeared in other unusual places, including the telephone bills of state, federal, and local government agencies.

Dial-A-Porn companies are frequently publishers of pornographic magazines. In fact, advertisements for Dial-A-Porn in these magazines are the primary means of advertising Dial-A-Porn. For example, *High Society* magazine is published by the Carlin group of companies in New York City.

About ten pages of this magazine are devoted to Dial-A-Porn advertising; and a drop-out card, which was placed in the magazine, advertises on one side the live centerfold service and on the other side the 976 service—"the hottest phone sex is back," referring to the temporary hiatus that occurred after Congress passed a bill in 1983 to outlaw Dial-A-Porn.

These numbers, nevertheless, appear rather quickly on schoolroom walls and notes passed to students.

During the investigation in Salt Lake City, hundreds of Dial-A-Porn recordings were transcribed. Several of these transcripts were attached to the grand jury's indictment.

The recordings transcribed here contain dramatizations of sex acts described by the voice of an actress as though they were fully occurring during the call, and as though the caller and the actress were participating in these sex acts.

The conduct dramatized in the recordings we have reviewed includes lesbian acts, sodomy, rape, incest, excretory-erotic acts, bestiality, bondage, sadomasochism, and sex acts between adults and children. The explicit content of these recordings is

rendered all the more shocking by the fact that they are available for all to hear.

Early efforts to control Dial-A-Porn included a number of civil actions which have met with uneven results; and it's now uncertain whether in civil cases, state or local governments or telephone companies will be able to resist the proliferation of these services.

The indictment in Salt Lake City, in the criminal case, charged Carlin and four persons associated with its Dial-A-Porn service with multiple counts of interstate transportation of obscene matter and causing obscene communications by means of telephone. These counts charge both felonies and misdemeanors. The victims of the offenses charged in the Sale Lake City indictment were boys and girls, ages ten through sixteen, residing in the Salt Lake City area. In each count it is alleged that in a telephone call to one of Carlin's numbers, one of these children received a prerecorded audio message portraying explicit sexual conduct which is alleged to be obscene.

The indictment was the result of a two-year investigation by the FBI prompted by numerous complaints of parents. Indeed, the most alarming aspect of the Dial-A-Porn problem is the exposure of large numbers of children across the country to these vivid dramatizations of sexual conduct.

We know of many cases involving children as young as eight years old. Children are being exposed to this material at a time in their lives when they are especially vulnerable and impressionable and lack the experience, perspective, and judgment to recognize and avoid sexually-oriented material

that may be harmful to them. For some children, the very first explicit information they receive about the sex act comes from these recordings.

We know from our work that these recordings conjure up images in the minds of young people which become powerfully anchored in the memory and which have a powerful addictive effect. They are like morphine to some of these children. These listening experiences become vivid memories which the mind continually replays, stimulating the child again and again, and suggesting a need for even further stimulation by making more calls.

Some children make hundreds of calls. They gain such a hold that some parents, teachers, and counselors have found themselves powerless to do anything about it. This is especially true of latchkey children whose parents are gone from the home until after the child returns from school.

The long-term effect of these calls upon young people who might tend to model their behavior on them is a serious concern. Among other things, the sexual conduct portrayed in these dramatizations may tend to condition listeners, especially young people, to associate sexual arousal with the abuse and degradation of women and with violence and pain. Such misinformation may have a harmful effect during the formative years of young people's lives by socializing them in an unhealthy way. We know that exposure to large numbers of these recordings disrupts family life and causes attitude and behavior changes in young people, especially boys, and especially with respect to their mothers.

I am sure this Commission has heard, or will yet hear, expert testimony, suggesting that this kind

of influence can become a sort of time bomb in the life of a child.

Although adults may laugh at some of these Dial-A-Porn recordings, to many children these recordings become very real, very powerful sexual experiences, which tend to color their future attitudes, thinking, and conduct.

Whatever may be said about the right of an adult to read or observe what he or she pleases, referred to in the Supreme Court's decision in *Stanley v. Georgia* as the right of an adult to satisfy his intellectual and emotional needs in the privacy of his home, children are presumed to be incapable of mature, competent, and responsible choices and therefore lack the capacity to consent to be exposed to sexually-oriented material that may be harmful to them. A child, like someone in a captive audience, is not possessed of that full capacity for individual choice which is the presupposition of First Amendment guarantees. It is based on this premise that government has the authority to restrict the flow of both obscene matter and indecent matter to children, even in a society that looks first to parents to decide what is in the best interest of their children.

Where the threat to the well-being of children comes via a device as all-pervasive as the telephone, access to which is simply beyond the ability of parents to fully control, a legal basis, as well as a need, exists for government support of parental supervision.

It is the infliction of this material upon children that presents the most compelling argument for this Commission and other public bodies to take

action against Dial-A-Porn. I am sorry to report that so far our efforts in Utah have failed. On October 1 of this year an order was entered dismissing the grand jury's indictment for failure to charge an offense cognizable under federal criminal statutes.

The judge concluded that so far there is no act of Congress on the books proscribing Dial-A-Porn communications. He blamed this on Congressional neglect and urged Congress to deal with the problem in the following language: "Those who engage in this type of activity, who traffic in verbal sewage, and that's all it is, are the worst sort. They like to hide behind the facade of corporate respectability, but corporations act through individuals. And, frankly, the individuals involved . . . ought to be ashamed of themselves. They degrade the traditions of this country and they appeal to the worst in all of us. And Congress certainly ought to do something about it."

In the wake of the ruling in our case, there is no longer any effective legal impediment to the commercial distribution of pornography by telephone. Although I will be seeking approval to appeal that ruling, the appeal may take up to eighteen months. In the meantime, Dial-A-Porn providers will assume they have free license to continue in operation. In my view this is a condition which cannot and need not be tolerated. However, my hands as a prosecutor are now tied. The only available source of immediate relief is Congress. If Congress passed a statute today which prohibited the dissemination of obscenity by telephone, I would be the first in line to bring criminal charges under such a statute. Therefore, I urge this Commission

to use its good offices to prompt Congress to act on legislation currently pending in the Senate which, with minor modifications, could help fill the void. The Department of Justice strongly supports this legislation, which would provide a misdemeanor penalty, and also recommends an addition to an existing obscenity statute to provide a felony penalty.

I have spoken to many children who have heard this verbal sewage. Some of them have made hundreds of calls. I have spoken with their parents. I have spoken with a prominent psychologist who has interviewed these children. I am aware of the changes in behavior which have resulted from exposure to an overdose of this material. I am troubled about what I have learned. Although I am not at liberty to discuss in complete detail what I have learned, I assure the members of this Commission of my strong conviction that this is an area in which urgent action is needed. No less an interest is at stake than the well-being of future generations of Americans.

VII.

Excerpts from

Official Transcript of Proceedings

BEFORE THE

ATTORNEY GENERAL'S COMMISSION ON

PORNOGRAPHY

DATE: NOVEMBER 20, 1985

PLACE: MIAMI, FLORIDA

TESTIMONY OF

DETECTIVE WILLIAM DWORIN

I am a detective with the Los Angeles Police Department's Sexually Exploited Child Unit and have been employed in this position for the past nine years. The Los Angeles Police Department was the first department in the nation to recognize that children were being exploited through pornography, prostitution, and molestation and created a unit especially trained to investigate this exploitation. I have participated in excess of one thousand, five hundred investigations, not only locally but nationally and internationally. I have personally conducted in excess of eight hundred investigations resulting in felony charges of child molestation and exploitation. I have interviewed over one thousand sexually exploited children and have spoken with over one thousand, two hundred admitted child molesters. I have examined tens of thousands of photographs, magazines, movies, and videotapes during these investigations which depict children engaged in sexual activities with themselves, with other children, with animals, and with adults. I have read and examined in excess of fifteen thousand letters between pedophiles describing their admitted sexual conduct with children and the manner in which they exploited said children for sexual gratification.

From my training and experience, I am aware that pedophiles have a specific age preference for the juvenile victim and that when the victim surpasses this age, the pedophile, no longer having sexual interest in him/her, will seek out a younger juvenile to take the victim's place sexually. It has been my experience that pedophiles will not stop or remain with one juvenile victim but will constantly seek out new victims, using the same method of seduction that has previously been successful. From interviewing and speaking with pedophiles, both in an official capacity and during undercover investigations, I am aware that pedophiles will retain photographs, magazines, movies, and videotapes and correspondence. This retention will span many years, and the material is used by pedophiles to lower the inhibitions of children, to relive their experiences, to fantasize, and to encourage the pedophile to seek out children to molest.

From prior investigations that I have conducted and from talking to other detectives involved in pedophilic investigations worldwide, I am aware of pedophiles retaining their pedophilic and pornographic material in excess of twenty years. I have testified as an expert in the field of child pornography, child exploitation, and pedophilia in municipal, superior, and federal courts.

The sexual exploitation of children is a sensitive and emotional topic which has received increasing public attention in recent years. While children have been sexually exploited for centuries, only recently have authorities begun to understand the scope and the severity of the problem. The common belief that children are the victims of

sexual molestation and exploitation on an infrequent and isolated basis is gradually being replaced by the knowledge that there exists a significant pedophilic population that actively preys upon children. There is also widespread misconception that child molestation consists solely of children being seized off the street and forcibly molested.

To be sure, these incidents do occur. However, in terms of numbers these cases represent less than 15 percent of the total child molestation picture. The vast majority of child molestations are generally accomplished by adults who seduce children nonviolently through subtle intimidation and persuasion. Child pornography is one aspect of the sexual exploitation of children, and it is a large, lucrative business of international proportions.

This Commission is concerned with pornography and the effects that it has on society. From investigations undertaken not only in Los Angeles but throughout the nation, a strong correlation has been established between the use of pornography, both adult and child pornography, and the molestation of children by the pedophile.

To best understand child pornography, you must understand who is the producer, distributor, and user of this material. Child pornography is produced by and is used by one type of deviant, and that is the pedophile.

For investigative purposes, I have identified the pedophile as an individual, a man or woman, who has a sexual preference towards children and who takes pride in his sexual preference. The pedophile comes from all walks of life, all social, economic, racial, religious backgrounds. They have been the

corporate executive, the blue-collar worker, the schoolteacher to the social worker, the police officer to the clergy, and yet they have one thing in common: when they see a child, they see that child as a sex object.

And unlike the total stranger who will frequently use force or violence to molest a child or the incestuous parent who will use mental duress, the pedophile will use seduction, and this seduction is in the form of affection and attention.

John Duncan was a parks and recreation director for the City of Los Angeles. In our investigations, not only in Los Angeles but throughout the United States, we have found that pedophiles will frequently seek out employment or volunteer their time and services to be around children. Children being their preferred sexual interest, they want to be with children.

In Duncan's capacity, he met and befriended a woman with two young daughters. He became a trusted member of the family, a surrogate father to the children. He would take the children on outings to Magic Mountain, to Disneyland, buy them gifts of clothing and toys. He became the children's best friend.

And when he suggested that he would take the children overnight or on weekends to give their mother some free time, the children would look forward to going and their mother had no fears for their safety.

Once the children began visiting Duncan in his residence, Duncan had magazines available for them, magazines such as *Nudist Angels, Nudist*

Moppets; if the pedophile is a boy lover, he will have something like *Kim* and *LifeBoy*.

This material was not forced upon the child, but was just laid out for the children to pick up at their own leisure. The pedophile realizes that children are curious. They will see something that catches their eye; they will look at it. This is what the children did.

They would question Duncan or the pedophile, Why are these children this way? It depicts children without their clothes on. No sexual activities, just children enjoying themselves, indoors, outdoors, with other children, and the questions would be asked, Isn't this wrong, to be photographed without their clothes? Won't they get into trouble?

And Duncan would explain that there is nothing wrong with being naked, that the body is beautiful, that people should see the body and take pride in their bodies.

He would then compare the children that he was seducing to the pictures in the magazine. "You are prettier than these children. You would look much better."

He would also tell the children one other thing. He would tell the children, We are going to Disneyland this weekend, or I have a special gift for you, and if you should mention this to your mother about these magazines, she might not understand and we won't be able to visit each other anymore, so let's keep it a secret.

So the children keep this a secret. Nothing was forced upon them. It was seduction. It was at their own choosing that they looked at the magazines.

Once the pedophile realizes that the secret would be kept, the next time the children would visit they would see another type of magazines, something like *Schoolgirls, Lolita,* or, again, if he is a boy lover, something like *Piccolo.*

These magazines depict children in the act of sexual molestation, oral copulation, sexual intercourse, sodomy, fondling, masturbation. When looking at this material, the children appear to be enjoying it. They would have smiles on their faces. They would not be forced into it; and, again, the children would look at the magazines or the movies, videotapes, photographs of other children, and would question, Doesn't this hurt, isn't this wrong?

The pedophile would demonstrate that it doesn't hurt, that it's a good feeling, a tickling sensation. This is the beginning of the molestation.

The primary use of child pornography is to lower the inhibitions of the child, to show the children that other children are engaged in this type of activity, that it's a normal practice, that children should be photographed this way, that there is nothing wrong with it.

The pedophile is unique in that each has a specific age preference for a child. In Duncan's case, his age preference was from six to ten. If a child surpasses that age, there is no longer that sexual interest; so he will continually seek out new victims. One way to do this is to encourage the children that they are molesting to bring in some of their friends.

So the first two children brought in another girl. Through affection and attention and a $2 doll,

she was molested, photographed, and these photographs were distributed.

The pedophiles take pride in what they are doing. They believe that society is wrong in condemning this type of activity. They see nothing wrong in sexual activity with a consenting child. There are organizations in this nation and throughout the world that actually encourage sexual activity between adults and consenting children. The North American Man-Boy Lovers Association, NAMBLA, the Renee Guyon Society which has a motto "Sex before you are eight or it's too late," the Child Sensuality Circle, the Lewis Carroll Collectors Guild are all organizations that are encouraging or are putting pedophiles in contact with one another.

In John Duncan's case, when we did the investigation, we found that he was corresponding with some three hundred people throughout the world, bragging about his activity, sending the photographs to prove that he was actually involved with the children, and taking pride in his sexual activity with the children.

Duncan also took his correspondence one step further. He invited anybody who wanted to come to the Los Angeles area to visit with him to bring the children with them; and if they didn't have any children to exchange, he would furnish some of his children for a price.

In the course of the investigation, we identified some sixteen children, from infant to about sixteen years of age. One little girl was first molested by her father when she was four. When we took her

into protective custody, she still had the mentality of a four-year-old. That is what molestation does to children.

Here is a picture of three girls from the San Diego area who were being controlled by a pedophile in exchange with Duncan's children. Here is a photograph taken in the midseventies, and yet in 1984 it turned up in *Lolita* magazine with Duncan's face blocked out. Here is a little boy about eighteen months old.

The pedophile is not exclusive to children. They will seduce adults. They will seduce women who have children in order to get to their children. We have had pedophiles who would marry into families to be close to children. Pedophiles will actually raise their own children for sexual purposes.

Looking at this photograph, you don't see a loving relationship between the adult and the child. You see group sex, in which there is another child's hand, and there is another individual who is photographing this activity. It's not a one-on-one loving relationship; it's just a sexual satisfaction for the pedophile.

These photographs are exchanged between pedophiles. Eventually they end up in magazines such as *Lolita*. We don't know if Duncan sent the photographs in personally or if it was someone that he was corresponding with who did.

In *Lolita* magazine we find a little girl who was first molested when she was four. In this photograph you see that she appears to be under the influence of some type of drug or alcohol. We cannot determine what that was because of her mental

condition. But in the magazine we see her again where she appears to be more normal.

Here she is again. This girl was filmed on 16-millimeter film. The film was then broken down into 8-millimeter and distributed commercially. Here is one of the girls you saw sitting on Duncan's lap in the beginning.

How does a pedophile reach other pedophiles? Through magazines such as *Lolita* that have a contact service. These three girls were prime victims. Look at the expressions on the children's faces. They are not forced into the act. They are seduced into it through affection and attention. They see nothing wrong in the activity they have been involved in, and they do keep it from their parents.

They would be placed in contact with other pedophiles through magazines such as *Lolita* or *Person to Person.* In these magazines they have contact services, so that you can be placed in contact with other pedophiles who have your same age preference and sexual preference.

Here are some of the ads we found. "Man, 55, interested in girls 6 to 12." Again, that age preference stands out. "Photographer seeks children to model nude, any age to 14."

If you are a boy lover, you would place an ad in a magazine relating to boys or the homosexual community. "Gay white male, 27, seeks a gay white male 10 to 17."

My wife read an ad, "A gentle, refined man, 48, desires correspondence with a mature 11- to 12-year-old." In this pedophile's mind this eleven- to twelve-year-old girl is mature because on an

emotional, psychological level that pedophile is in the eleven- to twelve-year-old age range. This is why the child feels comfortable with the adult, because psychologically and emotionally they are dealing with the same age level.

I would like to read you a letter from a pedophile. "In my first letter to you, I told you my circumstances have changed considerably since I placed an ad in the directory," the directory being *Person to Person.* "Now I was arrested and all my photographs, books, magazines, slides, films were confiscated. Since July 19, I have been here in a state hospital that treats men with sex offenses. I was first sent here for observation and committed here on November 3 for an indefinite period. That is why I was so happy to hear from you, as I no longer have the contacts with young girls I used to. I still have the same interests, but I am temporarily at a standstill. I was into photography quite a bit and managed to take some shots of Lisa and several of my students." Lisa was his daughter. He was a music teacher in Boston, teaching elementary school.

"I have two Polaroid cameras and a Pronto with an electronic flash and a Supershooter that I used to make copies of my originals. I used to exchange my photographs with men all around the world, and even sold some outright to men who didn't have any to exchange. I plan to get into photography in a bigger way when I get out. While I am in here, I am studying photography and plan to set up a part-time business. I plan to be very discreet too. I was getting a little careless, and look what it got

me. This is one area where discretion and caution are absolutely essential.

"As for Lisa, she is the reason I am living. I have had a love affair with her since she was an infant. I started licking her when she was a week old and this has always been our main activity, although we have tried everything else at one time or another." We had the photographs depicting the sexual activity when the child was a week old.

This man was sentenced to a state hospital in Boston. He was recently released, and he is again under investigation for child molestation, according to the latest information I had.

I told you, pedophiles will volunteer their time and services to be around children. The suspect in this case became a basketball coach, and although this boy is too old for him sexually, we also, in our investigation, found many photographs of boys with their arms over their heads. In the investigation we determined he had an underarm fetish.

This is the age group that he coached. This is the age group that he was molesting. He was also the official timekeeper for a college basketball team back in California. And when the team went on the road, he would take one or two of the boys with him from the team that he was coaching, share the same hotel room, share the same bed. Some of the victims we identified.

Again, what the pedophile does is allow the children to do anything they wish: play basketball in the house; if the child is hungry, they will immediately stop and feed them. They will spend all their time and money to satisfy that child, because

it's a team sport; you can get team involvement in sexual activity.

This is an anal wink reflex. When a person is sodomized for a period of time, the sphincter muscle learns to relax so that pain is not inflicted. This is what occurred with this boy. Unfortunately, the boy is becoming too old. There is a little pubic hair, a little more development. Yesterday this boy was the pedophile's best friend. But because the boy became a day older or a year older, sexual interest in that boy is no longer there. The boy doesn't understand what happens; why is he no longer the pedophile's best friend? He is rejected by the pedophile. He has a difficult time relating to his family or his peer group.

What we have now is boys and girls who have undergone molestation, who are trying to find themselves; and the easiest way to do that, to avoid the embarrassment, to avoid the shock of telling the parents they were involved in this, is to run away from home.

They run to the big cities like New York, Miami, Los Angeles, or Houston, especially in this warmer weather. And how does a child survive on the street—too young to get work permits, too young to get a legal job? One thing they can sell is their bodies through prostitution, through pornography, get involved in drug abuse, whatever.

I would like to read you two statements. The first one is from Tim. "I am ten years old. I first met Roger in September. I started going over to Roger's house to play and watch TV."

[Here follows an extremely graphic description of various sexual acts Roger engaged in with this

ten-year-old boy. Roger also took pictures of these acts. Additionally, there are descriptions of some of the techniques of seduction Roger employed.]

Here is another statement from an eleven-year-old. "I was introduced to Roger from Jeff. Jeff goes to the same school as I do. Jeff took me to Roger's so we can play pool. When Jeff and I were at Roger's house, I met some other friends there. One day in September, I went to Roger's house and he was lying naked in the TV room. He asked me not to tell anybody that I saw him naked. He kept asking me if he could trust me. He specifically told me not to tell my parents. He also kept asking me to take my clothes off and finally I did. The first time I took my clothes off, Timmy and Chris were also there with their clothes off." Here you have the peer pressure on other children who aren't engaged in this type of activity. If that one child doesn't want to do it, he is on the outside.

Roger has a box he calls his toy box. This box is kept underneath his pool table. Everything that children told us prior to our search warrants, we were able to locate in Roger's house.

We first came across this investigation when we interviewed an eighteen-year-old street hustler, a boy prostitute in Hollywood, and indicated that we were interested in identifying people who were involved with young boys. This eighteen-year-old told us that when he was ten he would go over to Roger's house, and all this type of sexual activity occurred.

How many children went through Roger's house in those eight years or more, and nobody ever complained! The parents weren't aware,

teachers weren't aware, the police definitely were not aware. We know what happened to one boy. He ended up as a prostitute. We don't know what happened to the other boys.

In talking to the children's parents, we learned that the parents actually encouraged the children to go over to Roger's house. Roger had a pool table, he had TV games for the kids, he had Coke machines. The parents said they would rather have their kids off the street and out of trouble; so they encouraged them to go over to Roger's house.

Anything that you have seen or you can imagine depicting adults in sexual activity, we can find children involved in this type of activity, be it bestiality, urination, defecation, sadomasochist material. This material is available either commercially or noncommercially on the market.

Some pedophile is going to find this magazine, *Lisa and Her Dog,* have a little dog of his own, and by placing something sweet on the girl's pubic or breast area, have the dog engage in some type of sexual involvement and photograph the child. We are seeing more of this type of material. I guess the normal molestation of children isn't enough for many pedophiles. They want to go into more perverse type of activity.

So we find in one investigation somebody's fantasies. Again, the expression on the children's faces is what plays a key role. They are not forced into it. They are seduced into it many times.

Pedophiles are not exclusively men. We do have female pedophiles. We don't know to what extent. The arrest rate is probably 97 percent men, 3 percent women. But that doesn't say there are

only 3 percent female pedophiles. These are just women we come across. This is a woman and daughter. We found these photographs in another pedophile's house, were able to identify the woman, did a supplemental investigation, and found that the child was a runaway.

Child pornography has been estimated anywhere from multimillion to a $2-, $3-, $4 billion industry. No one knows the actual dollar amount because it's all underground activity. There is more child pornography being distributed noncommercially from pedophilic networks than is being sold commercially over the market.

To order child pornography, you would seek out ads in underground newspapers or in men's magazines suggesting something like "European material, unable to obtain in the United States." You send your dollar, $2, $5, $10, hoping that you would get a catalog. This type of catalog has both heterosexual and homosexual material, boy love, girl love.

These magazines sell anywhere from $10 to $25, movies anywhere from $35 to $70, photographs from $1 to $5, videotapes, which are probably the most popular now, anywhere from $35 to $100 a videotape. You send your money in and hope that Customs doesn't seize the material coming back into the States. Customs seizes less than 5 percent of child pornography coming into the States.

This is one figure. It's probably lower than that now. The figure was dated back about 1980. But, again, nobody knows how much is coming in, so we can't really say how much is being seized.

TESTIMONY OF

INSPECTOR PAUL HARTMAN

I am an employee of the United States Postal Inspection Service. I am presently here today to offer testimony concerning the use of personal computers by pedophiles.

The Inspection Service is charged with the enforcement, in part, of the Child Protection Act of 1984, which was signed into law by President Reagan on May 21. Specifically, I and other inspectors conducted investigations which involve the use of the United States mails to transmit or receive child pornographic materials, such use being proscribed by Title 18, Section 2252 of the United States Code.

My principal assignment is to conduct those investigations which involve the use of the United States mails in the transmission of such materials. Child pornography, which records the sexual molestation of children, is, by its very nature, the product of pedophilia and is consumed by pedophiles.

Most of the investigations which I conduct are undercover in nature and cause me to come into frequent contact with pedophiles. Due perhaps to the sanctions placed upon adult/child sexual relations within society, most pedophiles seek to conceal their sexual interest in children from family members, friends, associates. As a result, they lack emotional and psychological support for their sexual interests and activities among their closest personal associates.

Frequently, in order to satisfy the need to gain

emotional and psychological acceptance and support, a pedophile will turn to another pedophile. The use of the mails by pedophiles has long been recognized by inspectors as a mainstay of pedophiles' psychological support base. Letters provide a vehicle whereby individual pedophiles may share expressions of sympathy with one another, yet sufficiently protect their identity and the need for anonymity by the individual pedophile.

As interpersonal relationships grow rather slowly through correspondence, confidence builds between these individuals. This confidence generally leads to an exchange of fantasies and accounts of actual sexual encounters with children.

Further, this confidence often leads to an exchange of child pornographic materials through the United States mails. Numerous investigations conducted by me and other inspectors have led to the recovery of this type of correspondence in the possession of offenders arrested for trafficking in child pornographic materials.

When, during the course of an investigation, we developed sufficient evidence to indicate that a suspect has violated the federal law, a search warrant is sought, generally for the suspect's residence. Execution of search warrants usually leads to the recovery of child pornographic material in quantities of sexually oriented correspondence. It has not been uncommom for postal inspectors to seize personal computers and related materials that have been used to store data bearing on the identities of other pedophiles with whom the offenders have been in contact.

Recently, however, I have monitored my own

experience that pedophiles employ personal computers for purposes extending far beyond the mere storage of data.

I first became aware of the personal computer as a means of communication between pedophiles through correspondence with a person suspected of trafficking in child pornographic materials. The suspect described in great detail the advances in computer technology and the wonderful opportunities to meet new friends whom he described as other pedophiles.

Shortly thereafter I subscribed to the services of several firms, which, for a fee, provide access to computerized communication. With the use of a personal computer already on hand in my office, I was soon communicating with pedophiles in various states throughout the country concerning child pornography and child sexuality.

In order for any person to communicate with another by way of a computer, equipment requirements and skill levels are minimal. In addition to the personal computer, the only items necessary are a modem, a rather inexpensive device, and access to a standard telephone line. The computer operator need have only a rudimentary knowledge of the equipment generally provided by the owner's manual.

After having acquired the necessary equipment, the operator subscribes to the services of one of many firms which, for a fee, will grant the operator access to its host computer.

Further, the computer operator needs to acquire a working knowledge of the system commands unique to each and every computer service.

System commands are provided in literature upon subscription to the service. There are currently a great many firms in the American marketplace offering access to computerized information and communication, in excess of one hundred and sixty, I believe. These firms offer a wide variety of communication services with varying degrees of security. The firms may offer subscribers access to electronic bulletin boards which afford subscribers opportunities to publicly place and read messages. Such messages are accessible to all subscribers.

These firms may also offer subscribers a feature which permits one subscriber to send to another a confidential message delivered by the computer only to the person for whom the message was intended, much like the concept of a traditional letter. These messages are directed by the sender to the recipient by writing them to the recipient's identification number. Each subscriber is assigned a unique number when subscribing to the service.

In a recent investigation, I accessed a computerized bulletin board and found a message rather casually displayed proclaiming another subscriber's interest in photographs of teen and preteen children.

I formulated an electronic message, a letter, and directed that message to this subscriber, who lived perhaps two thousand miles from me. Essentially my message invited future contact. What followed was an exchange of electronic letters, via the computer, in which the suspect offered to provide me with certain photographs. Ultimately the suspect mailed to me photographs of a child under the age of eighteen, which depicted that child engaged

in sexually explicit conduct. That person is now before the courts.

Notwithstanding the acknowledged existence of a number of activist pedophilic organizations, many investigators, including myself, have held to the belief that pedophiles, for the most part, are members of an underground subculture with no formal lines of communication or organizational structure.

However, such is not the case with respect to a number of pedophiles who utilize personal computers to communicate about their sexual interests in and activities with children. Many of the computer service firms offer additional features which pedophiles find most attractive. One of the features provides subscibers the option to carry on private conversations incapable of being monitored by other subscribers.

The contemporaneous nature of this mode of communication, while satisfying the pedophile's need for anonymity, facilitates the rapid development of interpersonal relationships between pedophiles. Those relationships are further strengthened when spontaneous dialogue is offered through computers as opposed to an exchange of correspondence.

The conference feature offered by many computer service firms permits three or more subscribers to engage in contemporaneous dialogue about matters of mutual interest. Conferences, however, can be monitored by any subscriber to the service and afford no measure of privacy to participants in the discussion. Due to the sensitive nature of the information communicated between pedo-

philes, the need for privacy while in the conference mode is met by yet another feature offered by many of the computer service firms.

Anonymity is maintained by the use of previously selected code words. In essence, subscribers privy to the code word enter it to comunicate about child pornography and matters of child sexuality, so that other subscribers cannot monitor. The messages are encoded and decoded by the firm's host computer for only those subscribers who have input the agreed code word.

Acting in an undercover capacity, I have personally communicated with pedophiles via personal computer, in private and in conference communications. What I have learned through these various conversations has led me to believe that the instant communication capabilities available through a personal computer have afforded pedophiles opportunities to establish networks. These networks are composed primarily of men bound by common interest, pedophilia, and held together by a means of common communication, the personal computer.

I have observed within these networks that one or two pedophiles will often assume leadership roles, coordinating the conversation and the activities of other members.

During computerized conversation with pedophiles, I have learned of pedophiles' actual and imagined sexual exploits with children. Further, I have learned that pedophiles who initially became acquainted through computerized communication have escalated levels of contact to include telephone conversations and personal visits between

one another. In certain instances, visits between pedophiles who reside in different states have been confirmed through independent investigation.

While engaged in computerized conversation with certain pedophiles, I have been introduced to yet other pedophiles and have been referred to pedophiles who are alleged to be in a position to provide child pornographic materials. I have taken part in computerized conversations during which pedophiles have identified, on a first-name basis, children with whom they were currently sexually involved. In one such conversation two pedophiles, although living hundreds of miles apart, spoke of common contacts with a child known to both.

Investigation into the activities of pedophiles who use personal computers has just begun. There is truly not currently available a fully developed body of information and experience to permit an assessment of the full impact of the role of the personal computer in the sexual exploitation of children.

In the hands of a pedophile, however, I believe that the personal computer has become a potent tool toward that exploitation.

VIII.

Excerpts from

Official Transcript of Proceedings

BEFORE THE

ATTORNEY GENERAL'S COMMISSION ON

PORNOGRAPHY

DATE: NOVEMBER 21, 1985

PLACE: MIAMI, FLORIDA

TESTIMONY OF

LIEUTENANT TOM RODGERS

I am a detective lieutenant with the Indianapolis Police Department, and I have been so employed for the past seven years. For that duration I have investigated child pornography and sexual exploitation of children. It is my belief that pornography of all kinds is used to aid child molesters in molesting children. Just this year our city has experienced numerous instances in which pornography, including adult pornography, was used to molest children.

I have interviewed in excess of three hundred sexually exploited children and in excess of fifty-seven hundred admitted child molesters. In just about every case involving pedophiles, they would use pornography to molest children. Either they would photograph children or they would subject them to either soft porn or hard-core versions of pornography.

I would like to introduce Garrett, who is now sixteen. Garrett is here to testify, and she will be able to come forward openly. She doesn't want to be behind the screen. She wants to be able to come forward and tell exactly what her nightmare has been for the last few years. She is a member of a Foundation for the Support of All Affected by Sexual Abuse, of which her mother is the founder and

the president. Garrett's story will reveal that she was a victim of child sex abuse, child exploitation, and subjected to the exhibition of child pornography.

Two men in her life, one an attorney, and the other one a doctor, a neighbor, violated their positions of trust and repeatedly abused her from the time that she was eight years old until the time she was twelve. The doctor friend abused her only after she had confided in him, seeking help from the snare that the attorney had trapped her in.

TESTIMONY OF

GARRETT GILBERT

I am sixteen years old. I was about ten years old when I was first exposed to pornography. The man who introduced pornography to me was a longtime trusted friend of the family who was also an attorney in the state of Indiana. The first time it took place in his car as he was supposedly taking us somewhere, which ended up being a parking lot.

He opened his glove compartment and pulled out some magazines. They were magazines like *Playboy* and *Penthouse.* He then proceeded to hand them to me to look at what was inside of them. This happened approximately four or five more times.

Around the third time he and I were looking at the magazines, he began to masturbate himself, and then the next time he had me masturbate him.

He then progressed to other forms of pornography, which included magazines of animals, dogs mostly, involved in sexual acts, oral sex, anal sex, and these were mostly men in his magazines with dogs.

At this stage he would still have me look at his magazines while he kissed and fondled me, and he started me out with performing oral sex on him. He led me to believe that this was normal behavior, and tried to the best of his knowledge to brainwash me without saying anything that might lead me to suspicion.

He was getting to the point that he would be so bold as to start coming over to our house—this was all planned out as a family get-together—to take me into my basement in my bathrobe and expect me to know the ropes without the magazines being used as a crutch on his behalf.

But now he had introduced me to something new, a vibrator; he now, for the moment, had dropped the magazines and told me all he wanted me to use was the vibrator. About a year had passed from the time he had first introduced me to pornography to that of a vibrator. He also told me how to do a couple of things, so that when he wasn't there, he trusted me to do these things so that he would be proud of me.

He said that he "would be mad if I deceived him, and don't try to think for one second that I won't find out and your parents are going to tell me one way or another, but you can't tell them what I just told you because then they will be mad at you and me and hate us all, and you wouldn't want a life like that, would you."

At about age eleven and a half he started using

the magazines again. In these magazines there were pictures of one woman masturbating another woman, two men and a woman having sex, oral, anal, and vaginal sex. It was with these magazines that he started having me act out positions with him. Viewing the pictures in the magazines seemed to click something for him, for he then wanted his own personal record of all that he had taught me.

He whipped out his Polaroid camera, which was in his briefcase, and he then proceeded to take pictures of me in these various positions, which included using the vibrator. He continued to use different forms of pornography, and he continued having me act out the sexual acts and positions portrayed in the magazines.

This included bestiality. I only learned recently that the term *bestiality* is used to describe some of those sexual acts in the magazines.

In the next stage, he went to an adult bookstore while I waited in his car. He came out of the store with a big smile on his face and a videocassette in his hand. Then he took me to his new home to view this X-rated movie called *Joy*. It embarrassed me to watch it. He used remote control to stop every scene in the video after the oral sex, and he would instruct me to do the same as the movie had just shown. After the video he then attempted to penetrate me vaginally. At this time I was twelve years old. This time also in my life I was very confused, and I had trouble fitting in and relating to other kids my age.

My concentration level in school had dropped tremendously, and as a result I was always in trouble at school and at home.

I was extremely angry at this man, whose name is Richard Boyle, because I hated him for what he had caused my life and my family to become. I was shouting for help on the inside and no one had heard my call. My behavior on the outside at this time told my parents that I needed help, but sadly enough, not in the same way as I had hoped it to be. I was afraid to tell, because of the enormous guilt trip I had built up inside myself.

Boyle was a well-educated, highly respected man within his profession as an attorney in Indianapolis. He used his intelligence to get what he wanted, to manipulate me and my family to get what he wanted.

This same brilliant man used magazines that were acceptable in society's eyes, such as *Playboy* and *Penthouse.* That was the beginning of a long and very perverted nightmare for a child. He robbed me of my childhood. The effects on my life almost destroyed me. I attempted suicide, was hospitalized and institutionalized. I spent two and a half years of my life away from home and my family just to try to undo all the damage that Boyle had created and caused. I am a victim of child molestation and pornography.

I am still, to this day and probably for the rest of my life, having to deal with this unspoken nightmare. In my daily struggle to cope with this, I am slowly but surely becoming a survivor of all of this. This has not been one of the easier tasks in my life—to stand before all of you today and spill my guts. But I want everyone here to know one thing, that if you haven't listened to anything I just said, remember this. There are very sick people out

there in this world. I wouldn't be here today if my family hadn't stuck through all this with me, and I wouldn't do it either if I didn't think it would be of any help or value to this world and for those kids that go through the same agony that I went through.

TESTIMONY OF

JUDY GILBERT

I come to you as a parent, secondary victim, and a concerned citizen. I am neither embarrassed nor ashamed to be here. This was a crime committed against our child and against our family. I have been afforded an opportunity to share with you the effects of my victimization as a mother of a child who was sexually abused and exposed to pornography.

For me to remain silent with my innermost private burden of pain would not allow you to hear for yourselves and for you to understand for yourselves firsthand the perspective of the victim's trauma inflicted upon them, and the years of rebuilding, restructuring, and relearning that must be done in order to survive such victimization.

I might add, I had not heard my daughter's testimony before this morning, and you will kind of see some common links between the two of us. She has not seen mine either.

It was learned through the admission of our then twelve-year-old daughter that she had been

sexually assaulted for a period of four and a half years—totally unbeknownst to myself or to my husband, to dispel any myths that any one of you might be holding on to. These assaults were not perpetrated by a demented, uneducated, low-class, mentally deficient individual. These acts were aggressively manipulated and actively pursued by two highly respected educated professionals in our community, one, a family friend of ten years, an attorney-at-law who was loved and trusted by our daughter, as well as by my husband and myself. Our families socialized and vacationed together. He assaulted her for a period of four and a half years starting at approximately age seven years, ten months, and ending when she shared her secret at age twelve and a half.

The assault started with fondling and progressively escalated to the use of pornographic materials in the form of magazines, videotapes, and the taking of nude pictures. When this attorney was arrested in our home, his car was searched. He carried with him in the trunk of his car literally thousands of dollars worth of hard-core pornography, in addition to a videotape of sex acts and audiotapes he had made while assaulting my daughter.

I heard one of those tapes. It was a tape where you could hear the turning of the pages of a magazine and him describing to my daughter the various individuals depicted engaging in various forms and positions of sexual acts. He used this magazine to get her to do the same type of thing to him and as a tool to instruct her as to how he wanted her to pose for his nude photographs.

To this day, she has nightmares and is continually remembering additional details of his assaults.

My first public appearance was before our city-county council committee to testify to these facts for instituting an anti-pornography ordinance for our state.

The other individual who assaulted her was a neighbor, a medical doctor and a nationally recognized cancer research specialist.

I feel it important too for you to recognize and understand what slick, cunning individuals these types of perpetrators can be. Not only was our daughter totally conned and robbed of her innocence, as adults we were conned as well by the using and manipulation of a friendship, as well as the misusing of our trust.

As an adult and a woman, my trust in humanity, and in particular males, had to be rebuilt, and I am a co-victim.

In reality, the sad fact is that my daughter turned to the neighbor because he was a doctor. She felt she could trust and confide in him the fact that she was being assaulted by the family friend, the attorney.

Instead of him upholding the oath by which he functioned as a healer of mind and body, he chose to seize the opportunity to repeatedly assault and rape her for approximately two years.

We are talking about a medical physician who is still practicing medicine today. When he could have helped her heal her wounds, he only added to the depth and reinforcement of some learned behavior and attitudes in his destruction of her trust and the implementing and using of his power to influence,

manipulate, and control someone one-fifth his age.

As a parent, to hear my daughter tell me, "Mom, I thought he was my friend, and I told him about Mr. Boyle, and then he did the same thing to me," was a crushing blow in my faith and trust of my fellowman. For me to hear the words of a thirteen-year-old child say, "Mom, I thought about being a prostitute," was a devastating realization, one that I did not take lightly. It was then I knew my responsibilities as a moral, upstanding individual and a parent to see that all the untruths and misinformation that had been nurtured within my child's mind were undone.

This is not accomplished overnight, nor is it ever undone. She is now sixteen. She tried to commit suicide at the age of thirteen and a half as her only means of escape. She spent five months in an adolescent psychiatric unit and nineteen months at a residential care facility for twenty-four-hour round-the-clock help with her problems. The brunt of the expenses for her care were our responsibility, reaching close to $100,000.

Our family suffered her loss between the ages of thirteen and a half through fifteen and a half, and she missed in sharing the love and support that we wanted and needed to give her. We did support her with emotional daily visits to the hospital and then monthly traveling a distance to visit her at Whites Institute. These were two years of additional stress and trauma and loss. When she was well enough to come home, we chose to move from our family residence of eight years, from a neighborhood we loved, to new surroundings and a new beginning for all of us.

For her mental well-being and continued growth in mental health, we thought it unfair to bring her back to a home where some of the assaults took place, and also where the doctor still resided only four doors away. So we bore the expense and emotional pain of leaving our home.

I have learned much from my daughter and our talks, with her sharing of the degrading she felt from her exposure to the pornographic materials. These materials desensitized her and broke down her inhibitions to perform such acts as depicted in their pages of pornographic magazines and the pornographic videos, as well as instructing her in innovative ways to pose in the nude for the purpose of being photographed to satisfy the sexual gratification of a perverted and sick man.

It was because of my child's victimization, two court trials later, and the lack of services provided to victims and families of sexual assault of a nonincest nature, that led me to implementing and establishing direct services to victims of sexual assault.

In order to prepare myself for what was needed in the way of direct services to victims, in the state of Indiana, at my own expense, I started to educate myself. I did this by attending every workshop, seminar, and conference I could find out about.

One of the many conferences I attended was the Third National Conference on the Sexual Victimization of Children held in April 1984 in Washington, D.C. It was a conference where Senator Paula Hawkins from this state revealed for the first time that she was the victim of a sexual crime.

In my development of services to victims of sexual assault, in educating myself, I was recog-

nized in the community as having special expertise and concern for victims of sexual assault. I was invited to sit on a Marion County child protection team, being the only lay member of an eleven-man team, adding my perspective as a parent-victim. Through this, I was exposed to more education. I was also asked to testify before a 1984 state legislature on behalf of both child and adult issues.

Providing direct services to victims of sexual assault, my original intention was to direct my efforts to nonincest individuals. I quickly realized there was a need to broaden my scope, even though incest victims would be provided services.

Because of the concept of our services, victims reaching out to other victims, we have no professional therapists involved with the direct services. They do, however, function in an advisory capacity and as referrals to those individuals needing that type of service.

Our direct services include weekly support groups, support group meetings, and support through criminal court proceedings and the investigative police process with the blessings of the chief of police of Indianapolis and our county prosecutor.

In closing, I would like to point out that the effect, not only on my daughter, but in general of the victims we see and talk to on a daily basis, because of their exposure to explicit sexual materials, regardless of the medium and regardless of hard-core or soft-core, is to propel them forward into the adult world beyond their years, depriving them of emotional growth at the same time. Too often you have a young child who keeps the secret

of victimization hidden for years out of a feeling of fault and a feeling of shame. Without help and intervention, they continue to grow up with a warped, misguided view of sex and are emotionally thwarted of the good ability to make sound decisions for themselves.

TESTIMONY OF

DR. SIMON MIRANDA, Ph.D.

My work in the area of child sexual abuse began about six years ago, and my experience as a clinical psychologist has been almost entirely in intrafamilial sexual abuse. I have evaluated approximately one thousand children in the past six years, ranging in age from two to about seventeen years. In every single case, there was either the suspicion or a more formal accusation that a child had been molested or otherwise abused sexually by a member of his family. Practically every one of these cases came to me by court appointment.

By the time I got to see them, they were denying that the abuse had taken place and were very reluctant to provide any kind of incriminating information. This would mean that whatever information I am gathering is conservative. I look back six years ago and even closer, three years ago, as I was working in this field, and I see that I was not any different from the millions of citizens in this country who do not use pornography, who disapprove of it, and at the same time are very passive

about it, basically indifferent, and, most of all, grossly ignorant about what pornography actually does to families and how closely it is related to the sexual abuse of children. I came upon this realization of this relationship rather accidentally, I would say, in the process of my work. I began to notice both increases of cases and then also the mention here and there of pornography.

I began to think about the problem, and it dawned on me that perhaps there was a link. And I would say from that point in time, approximately two years ago, I began to include questions about pornography whenever I make one of these evaluations.

My data, as you can tell, is not of an experimental nature. It is clinical life history data; yet I have seen some cases where I see a clear relationship, almost cause/effect—certainly a dispositive cause—in the abuse of the child, resulting from the use or the involvement of pornography by the adults.

I have noticed this kind of relationship in four main areas. First, pornography being used to break the resistance of children to the sexual behaviors of the adult. Second, the use of pornography causing a child to change his or her behaviors, and I am talking about children as young as three years of age.

Thirdly, children being photographed by members of a family who were abusing them, I assume, for the purpose of producing pornography. And finally, I have seen effects of pornography directly on the marital bond.

Now, in the first kinds of these relationships, I

would like to mention two cases. The first one involves a ten-year-old boy and his father. When this child came to my office, his father had already made a confession to the police about having abused his son, abused that boy's six-year-old sister, and also about abusing other children.

The sister, according to the father, had been abused through vaginal penetration and fondling starting at two years of age. The boy that I interviewed did not know, when I was seeing him, that I knew that his father had made this confession, and in fact that I had some information as to what the father had said.

So at the outset of the session the child had begun to deny that he had become a victim of abuse of any kind whatsoever by anyone. I began to question him more pointedly, and he began to show almost sexual stimulation as I mentioned some of the things that I knew; and then his resistance broke down and he ended up telling me that his father had been showing him pornographic magazines and also that they have jointly watched TV, television, cable pornography, pornography on cable television. The next step was to admit that his father had performed fellatio on him and he on his father; and that very often the watching of television and the sexual acts had taken place concurrently.

The other case that I have here also involves a ten-year-old boy, and this boy was the victim of repeated acts of anal sexual intercourse perpetrated by his mother's live-in boyfriend.

As a way of preparing the child for these assaults, the man had shown him homosexual pic-

tures, and also pictures of heterosexual acts, trying to present them to the child as something natural and acceptable. He went further than that because, as the child recounted to me, in one of the pictures actually there were two boys engaged in these homosexual activities; yet the offender tried to make the situation more similar to theirs—that is, that of the child and this stepfather—by saying that what was depicted in the picture was a father and a son.

The third case involves the child who, even though she was sixteen years of age, her mental age was no higher than six. She was a mentally retarded individual, and this is extrafamilial. That's the only case of this nature that I have in this report. A thirty-four-year-old man who befriended her began by showing her pornographic movies and then proceeded to assault her sexually.

I have seen several children, some as young as two and a half years of age, several three and four years of age, who have been victims of either sexual abuse by parents who were avid users of pornography, or victims of the pornography itself, even if the child was not the victim of any sexual act by the parent directly, or of both things.

One of the most astounding cases clearly opened my eyes to the relationship there is between using pornography and deviant behavior of people sexually abusing children. It is about a four-year-old child whose mother found him in the bathroom trying to insert his erect penis in the mouth of the centerfold of a *Playboy* magazine. The mother explained that the boy's father liked *Playboy* magazine. She further questioned the child to find out where he had learned about fellatio; and according

to her, the child told her that while visiting some relatives, this child had gotten out of bed one night, and he stood behind a chair where an uncle was watching television, and what was being shown at the time was oral copulation. This same child was a few weeks later found by his grandparents being abused sexually by a child who was several years older, a child who was about eight or nine years of age.

I have come across a number of young children, two, three, and four years old, referred to me because there was a suspicion that the child had been sexually abused. The suspicions stemmed from the fact that the child was exhibiting inappropriate sexualization, or the child may have said to the mother that "he did this or that to me."

When I questioned the parents, then I came across the fact that either both of them, or one of them, was an avid user of pornography. At this point, denying that any direct act of sexual abuse had taken place, they were quite willing to say, well, what happened here was that my son or my daughter was exposed to pornography which I have around the home. One thing that has appalled me is that such parents normally, in spite of what is happening with the child, do not reject pornography and still do not see it as harmful. All they do is see they need to be a little more discreet about its use.

I have come across several cases where couples have divorced and one of the spouses—usually it's been the wife—told me that the problem stemmed from the husband's use of pornography, beginning with so-called soft-core pornography, moving on to hard-core pornography, and then the desire for the

wife to engage in sexual acts, usually bondage or group sex, which was unacceptable to that spouse.

Eventually, then, the husband would find someone outside the marriage who was willing to engage in these activities, with a consequence of divorce.

We hear often that whatever is done in the confines of the home and the privacy of the home is fine, if it is done between two consenting adults. It seems to me that, in fact, what is done there in privacy is hurting the children very much, even in cases where children are not directly involved.

I went to the literature after my clinical experiences with this, and of course I found out that there is voluminous evidence pointing to the harm that pornography does. I am particularly affected as a professional, as a human being, as a person, by the fact that so many two-, three-, and four-year-old children are being exposed and being harmed by the consumption of pornography.

TESTIMONY OF

ANONYMOUS

I am a victim of pornography. I was married for thirty years and have three children and two grandchildren. We considered ourselves a normal family with the usual ups and downs that most families have. We had a good marriage. We attended and were active in our church for most of those years.

In June 1983, the local cable company installed

new cable connections to each house in our city. I subscribed to a package of cable stations without having a very good idea of what I would get. When cable started coming into our home, one of the channels was HBO.

My husband, who had rarely ever watched television, discovered that he enjoyed some of the risque movies on HBO. I couldn't believe the way the movies on that station injected obviously titillating scenes in otherwise good movies.

When I complained and wanted to change the station, my husband would tell me that I was prudish and just to go to bed if I couldn't take it. I said, "The boys [our teenagers] shouldn't watch this trash." My husband said, "Go to bed; it's good for them to learn."

The more I complained, the more my husband defended HBO and looked for even more raunchy movies. It became an obsession with him. He wouldn't allow me to terminate HBO in our house. My husband began staying up late at night to see the real hard-core porn movies and entertainment.

Two months later, the cable company sent around a representative to try to get people to subscribe to more new stations. I told her about my disgust with HBO and asked what could be done. She then discovered that the cable company had put the wrong tag on our house by mistake. She said they would take it off and they did, the next day. I ordered the Disney channel at that time, to get the clean movies that Disney is noted for. For a while my husband quit watching TV, but he spent less and less time in the house.

Then the cable company offered what it called

"free days" of Cinemax and Showtime. During those "free days," the cable company showed some good movies. So, as a compromise with my husband, in March of 1984 I ordered these channels and dropped Disney. However, after the free days, the Cinemax and Showtime movies became just like those on HBO. They showed one naked woman after another jumping in and out of bed. I had those channels disconnected as soon as I could get by with it. My husband was very upset.

Our family never reads magazines of any kind. So I found it strange, during this period of time, when my husband would come home and talk about reading porn magazines which he found strewn around the rest area at work. He began to think he was shortchanged because what he saw in the movies and magazines was not happening at home between him and me.

Then our family started renting a video recorder and some clean movies. Each time my husband would ask me to get him some porn movies. I always refused and said I would really like to picket the place for having them available. He would get angry at me. He didn't see any harm in watching them.

I discovered that pornography can become habit-forming and just as hard to quit as alcohol or tobacco. That's the way it was with my husband. I truly believe that pornography is addictive.

At this point I began to examine my situation and ask myself if my thirty-year marriage was more important than my values. I tried to compromise in bed and please my husband, but each time found I could not. He was trying to get me to act out what

he saw on the porn movies. Each time this would end up in an argument because I found the ideas repulsive and the acts nauseous. It would always end up as another crisis in our marriage. I began to involve myself in other activities, hoping my husband would grow out of his liking for porn.

But what happened was that he began to look for a woman who would not be "too good" for him. He thought I was too prudish. My husband is nearing fifty and is concerned about his ability to continue to perform sexually; so I think he thought that pornography was giving him extra excitement. Unfortunately, it also led him to chase after women at work.

We continued to have marital relations during this period of time, but he was never again satisfied with sex once he was exposed to porn. He felt he was cheated because I wouldn't do what the TV and movie actresses did.

On one occasion, some friends who live in the country and knew we were having problems said, "We have just the thing to save your marriage." They have a satellite dish, and they turned on the Playboy station for us. It was one perverted act after another. I was in a state of shock. That evening did not help us; it made matters worse. My husband just got more ideas.

In January 1985, my husband moved in with one of the loose women he chased. He demanded a divorce, and I divorced him three weeks later. He still lives with that woman without benefit of marriage and has lost all sense of right and wrong. Before pornography came into our lives, he had always been a moral man.

Pornography is *not* a victimless crime. Two teenagers no longer have the guidance of a strong father, and I no longer have a husband and supporter. How do I explain this to teenagers so they won't do the same thing someday? What is to become of the next generation if this continues? How many homes will be destroyed before this trash is stopped from coming into a home and destroying a marriage?

During the hard days and weeks following the divorce, I shared my story with a few friends. I was amazed to find how many women have their own sad story to tell. I couldn't believe it! Once I would open up, they were able to share their own experience—in confidence, of course. This is not an easy subject to discuss, and we all want our private lives kept private.

One of these friends confessed that her husband reads porn constantly and tries to hide it from her. This desire has led to a change in his sexual orientation (toward interest in men instead of women).

Another friend shared the story that her husband has been looking at porn for years and has a need to be with other women because of it. They are now in counseling, and he is finding it very hard to quit this vicious habit.

A third friend looked at me and said, "What happened to you scares me. This could be me we are talking about." She had a similar experience and has a large family in a typical Christian home.

The reason the general public doesn't hear more about these destroyed marriages is that women don't want to talk about it. In many cases, they

are still trying to save their marriages. They are also trying to save their children from embarrassment and shame.

I am sure this story could be told in many homes in America today. Pornography is portrayed as normal sex. The viewer ends up believing the abnormal is normal. This is destroying marriages such as mine and my friends', and the family unit is in trouble. I am a living example.

Don't let anyone ever again tell you that pornography for consenting adults is OK because "no one will get hurt." Ask my teenagers if no one gets hurt. It has hurt us spiritually, mentally, financially, physically, and emotionally.

I feel that if we are to ever help the victims of this crime in America, we must stand up and be counted. That is why I am here today. The laws in our land should protect the innocent. I would like to see other innocent families saved from this fate. Pornography is not a victimless crime. We need the enactment of strong laws to curtail it. All the victims I represent here today are crying out for your help. It has gone on too long. We must stop it now.

Pornography destroyed our thirty-year marriage in one year, and the major part of the change took place in a three-month period. Beginning in June 1983, my husband's personality totally changed in just three months. One of the saddest parts is that it didn't help to take the pornography off of our television. In three months he was already addicted, his character was already damaged, and his attitudes about me, about marriage, and about sex were already changed forever. This was caused by a combination of the television and the magazines.

IX.

Excerpts from

Official Transcript of Proceedings

BEFORE THE

ATTORNEY GENERAL'S COMMISSION ON

PORNOGRAPHY

DATE: JANUARY 21, 1986

PLACE: NEW YORK, NEW YORK

TESTIMONY OF

LINDA MARCHIANO

It all began in 1971. I was recuperating from a near-fatal automobile accident at my parents' home in Florida. A girlfriend of mine came over to visit me with a person by the name of Mr. Charles Trainor. Mr. Trainor came off as a very considerate gentleman, asking us what we would like to do and how we would like to spend our time and our afternoons, opening doors and lighting cigarettes and doing all the so-called good manners of society. Needless to say, I was impressed and started to date him.

I was not at the time getting along with my parents. I was twenty-one years old and was resenting being told to be home at 11:00 and to call and say where I was and give them the number and address.

Here comes the biggest mistake of my life. Seeing how upset I was with my home life, Mr. Trainor offered his assistance. He said I could come and live at his house in north Miami. The relationship at this time was platonic, which was just fine with me. My plan was to recuperate and to go back to New York and live the life that I was living before my accident.

I thought then that he was being kind and a nice friend. Today I know why the relationship was

platonic. He was incapable of any kind of sexual act without inflicting some kind of degradation or pain on another human being. When I decided to head back for home and informed Mr. Trainor of my intention, that was when I met the real Mr. Trainor and my two and a half years of imprisonment began. He beat me physically and mentally from that day forward. He made a complete turnaround. I literally became a complete prisoner of his. I was not allowed out of sight or allowed to use a bathroom without his permission. When speaking to either my friends or my parents, he was on the extension with his Walter PPK 45 automatic 8-shot pointed at me.

I was beaten physically and suffered mental abuse each and every day. In my book *Ordeal,* which is an autobiography, I go into greater detail of the atrocities that I was put through, from prostitution to porno films to celebrity satisfier. The things that he used to get me involved in pornography ranged from this PPK Walter 45 automatic 8-shot and an M-16 semiautomatic machine gun to threats on the lives of my friends and my family. I have seen the kind of people involved in pornography and how they will use anyone to get what they want.

The coldness and the callousness that they possess is immense. So many people asked me why I didn't escape. Well, I did, because I am here today. I did try, during my two and a half years, to escape, on three separate occasions. The first and second time I suffered a brutal beating for trying. The third time I was at my parents' house, and Mr.

Trainor came over and he said that if I didn't go with him he would kill my parents and I said that, no, he wouldn't do that, and he said that I will shoot every member of your "blank" family as they come through the door. And then at that time my nephew came crawling into the room, and I got up and left with Mr. Trainor.

Some of you might say that I was foolish for going with Mr. Trainor, but I am not the kind of a person that could have lived the rest of my life knowing that it was possible because somebody else's life was taken.

After three unsuccessful attempts at escaping, I realized that I had to create a so-called master plan. It took six months of preparation convincing Mr. Trainor that I thought what he was saying was right, that beating people was the right thing to do, that abusing humans was proper, that pornography was great.

Fortunately for me, after six months I acquired fifteen minutes out of his presence, but I also had someone who wanted to help me.

I tried to tell my story several times, once to Vern Scott, who is a UPI reporter, and he told me that he couldn't print it. I also tried to tell a program in California what had happened to me, and they just changed the subject.

After my final escape, I was hiding out and I also tried to call the Beverly Hills Police Department, and I asked them to do something. I tried to tell them my story, and they told me to call back when he was in the room with his 45 or his M-16. I was brought up on obscenity charges in California.

A grand jury watched the film while I tried to black out what I was seeing and remembering and feeling the day that film was being shot.

After they asked me why I did it, I told them that a gun was influencing me, and they said, "Oh." No charges were filed against Mr. Trainor, and I was acquitted because it was done against my will.

Somehow pornography has brought me here today. All I can do is tell you my story and what happened to me. I was a victim of pornography.

Dr. Dietz: You mentioned several details about the firearms involved. Why did you mention the details about them?

Ms. Marchiano: Well, because I think it's very important for people to know that I was not a willing participant. There were guns, there were knives, there were beatings, there were threats on the lives of my family constantly, and after the physical abuse, the mental abuse becomes just as damaging. I just think it's important that people realize that. So many people that produce these types of films will say, Well, we check out and make sure that these women are doing it willingly.

But you know, I always ask them, had Mr. Trainor come with Linda Lovelace ten years ago, would you have known that she was an unwilling participant? So how can they say that they make sure all the women are there willingly?

Dr. Dietz: It's been said that the behavior that you evidenced in the film *Deep Throat* looks to others as being inconsistent with one being co-

erced. I wonder if you would care to comment on how that came about.

Ms. Marchiano: Well, I learned very quickly with Mr. Trainor to do exactly what I was told to do and do it to the best of my ability and to be convincing, because if I did become emotional, I ended up crying, or, you know, not looking like I was really enjoying myself, and then I suffered a brutal beating, some kind of sexual perversion as punishment, and I would have to do it anyway. So my mother didn't raise me as a total fool. I realized what I would have to do is be convincing and do it and get it over with. That whole film was done in that way. Everything was done just one time.

Dr. Dietz: Did you undergo any beatings during the course of the filming?

Ms. Marchiano: Yes, as a matter of fact, after the first day of shooting I suffered a brutal beating in my room, and the whole crew of the film was in the next room.

There was a door joining the rooms, and we were in this room, they were in this room, and Mr. Trainor started pushing me around and punching me. I was smiling on the set too much that day, and then he started bouncing me off the walls and kicking me.

Well, I figured, if all these people were in the other room, maybe now somebody will help me. I will scream for help. And the only thing that happened was the room became very silent, and that was it.

The next day, they listened to him continue to beat me—and the next day the greatest complaint was I had a couple of bruises on my leg. You brought up the smile in *Deep Throat,* but nobody ever asked me how did I get those bruises, where did those bruises come from, how did they get there. Everybody always says, "Well, you got there, you smiled, you looked like you were having a good time." That smile is what saved my life.

Dr. Dietz: What was done to cover up the bruises?

Ms. Marchiano: One of the guys that was on the film, Mr. Reams, was also into stage makeup and all that, and he had the right kind of pancake or whatever they do. They just put layers and layers on it to try to cover it, but it still shows through.

X.

Excerpts from

Official Transcript of Proceedings

BEFORE THE

ATTORNEY GENERAL'S COMMISSION ON

PORNOGRAPHY

DATE: JANUARY 22, 1986

PLACE: NEW YORK, NEW YORK

TESTIMONY OF

ANDREA DWORKIN

I am a citizen of the United States, and in this country where I live, millions and millions of pictures are being made of women with our legs spread. We are called beaver, our genitals are tied up, we are abused, makeup is put on to pop out of a page at a male viewer. Millions and millions of pictures are made of us in postures of submission and access so that our vaginas are exposed for penetration, our anuses are exposed for penetration, our throats are used as if they are genitals for penetration. In this country where I live as a citizen, real rapes are on film and sold in the marketplace. The major motif of pornography as a form of entertainment is that women are raped and violated and multilated until we discovered that we like it and at that point we ask for more.

In this country where I live as a citizen, women are penetrated by animals and objects for public entertainment, women are urinated on and defecated on, women and girls are used interchangeably so that grown women are made up to look like five- or six-year-old children surrounded by toys presented in mainstream pornographic publications for anal penetration.

There are magazines in which adult women are

presented with their pubic areas shaved so that they resemble children.

In this country where I live, there is a trafficking in pornography that exploits mentally and physically disabled women, women who are maimed; there is amputee pornography, a trade in amputee women who have been maimed in that way, as if that is a sexual fetish for men. In this country where I live, there is a trade in racism as a form of sexual pleasure, so that the plantation is presented as a form of sexual gratification for the black woman slave who asked please to be abused, please to be raped, please to be hurt. Black skin is presented as if it is a female genital, and all the violence and the abuse and the humiliation that is in general directed against female genitals is directed against the black skin of women in pornography.

Asian women in this country where I live are tied from trees and hung from ceilings and hung from doorways as a form of public entertainment. There is a concentration camp pornography in the country where I live, where the concentration camp and the atrocities that occurred there are presented as existing for the sexual pleasure of the victim, of the woman, who orgasms to the real abuses that occurred not very long ago in history.

In the country where I live as a citizen, there is a pornography of the humiliation of women where every single way of humiliating human beings is taken to be a form of sexual pleasure for the viewer and for the victim; where women are covered in filth, including feces, including mud, including pain, including blood, including semen; where women are tortured for the sexual pleasure of

those who watch and those who do the torture, where women are murdered for the sexual pleasure of murdering women. And this material exists because it is "fun," because it is "entertainment," because it is "a form of pleasure," and there are those who say it is a form of freedom.

Certainly it is freedom for those who do it. Certainly it is freedom for those who use it as entertainment. But we are also asked to believe that it is freedom for those to whom it is done.

Then this entertainment is taken, and it is used on other women, women who aren't in the pornography, to force those women into prostitution, to make them imitate the acts in the pornography. The women in the pornography, 65 to 70 percent of them we believe, are victims of incest or child sexual abuse. They are poor women; they are not women who have opportunities in this society. They are frequently runaways who are picked up by pimps and exploited. They are frequently raped, the rapes are filmed, they are kept in prostitution by a black male. The pornography is used on prostitutes by Johns who are expected to replicate the sexual acts in the pornography, no matter how damaging it is.

Pornography is used in rape, to plan it, to execute it, to choreograph it, to engender the excitement to commit the act. Pornography is used in gang-rape against women. We see an increase since the release of *Deep Throat* where women show up in emergency rooms because men believe they can penetrate, deep thrust, to the bottom of a woman's throat. We are seeing increasing use of all elements of pornography in battery, which is the most com-

monly committed violent crime in this country, including rape of women by animals, including maiming, including heavy bondage, including outright torture.

We have seen in the last eight years an increase in the use of cameras in rapes. Those rapes are filmed, and then they are put on the marketplace; and they are protected speech, they are real rapes.

We see a use of pornography in the harassment of women on jobs, in the harassment of women in education, to create terror and compliance in the home. We see pornography used to create harassment of women and children in neighborhoods that are saturated with pornography, where people come from other parts of the city and then prey on populations of people who live in those neighborhoods, and that increases physical attack and verbal assault.

We see pornography having introduced a profit motive into rape. We see that filmed rapes are protected speech. We see the centrality of pornography in the serial murders. There are snuff films. We see boys imitating pornography. We see the common age of rapists going down. We are beginning to see gang-rapes in elementary schools committed by elementary school-age boys imitating pornography.

We see sexual assault after death where frequently the pornography is the motive for the murder because the man believes that he will get a particular kind of sexual pleasure from having sex with a woman after she is dead.

We see a major trade in women, we see the torture of women as a form of entertainment, and

we see women also suffering the injury of objectification, that is to say, we are dehumanized. We are treated as if we are subhuman, and that is a precondition for violence against us.

I live in a country where if you film any act of humiliation or torture, and if the victim is a woman, the film is both entertainment and it is protected speech. Now that tells me something about what it means to be a woman citizen in this country, and the meaning of being second-class.

When your rape is entertainment, you have reached the nadir of social worthlessness. The civil impact of pornography on women is staggering. It keeps us socially silent, it keeps us afraid in neighborhoods, and it creates a vast hopelessness for women, a vast despair. One lives inside a nightmare of sexual abuse that is both actual and potential, and you have the great "joy" of knowing that your nightmare is someone else's freedom and someone else's fun.

A great deal has happened in this country to legitimize pornography in the last ten to fifteen years. There are people who are responsible for the fact that pornography is now a legitimate form of public entertainment.

Number one, the lobby of lawyers who work for the pornographers; the fact that the pornographers pay lawyers big bucks to fight for them, not just in the courts, but in public, in the public dialogue; the fact that lawyers interpret constitutional principles in light of the profit interest of the pornographers. Number two, the collusion of the American Civil Liberties Union with the pornographers, which includes taking money from them. It

includes using buildings that they own and not paying rent; it includes using pornography and benefits to raise money for them. It includes not defending them in court but doing publicity for them, including organizing events for them, as the Hugh Hefner First Amendment Awards are organized by ACLU people for *Playboy*. It includes publishing in their magazines, both the lawyers and the writers. It includes deriving great pride in economic benefit from working privately for the pornographers, while publicly pretending to be a disinterested advocate of civil liberties and free speech.

I want you to contrast the behavior of the ACLU in relation to the pornographers with their activities in relation to the Klan and the Nazis. They pretend to understand them. They are all equally pernicious. But do they publish in the Klan newsletter? No. Do they go to Nazi social events? No. Do they go to cocktail parties at Nazi headquarters? No, they don't—at least not yet.

Finally, they have colluded in this sense, that they have convinced many of us that the standard for speech is what I would call a repulsion standard. That is to say, we find the most repulsive person in the society and we defend them. I say we should find the most powerless people in this society and defend *them*. That's the way we increase rights of speech in this society.

Another group that colludes to legitimize pornography are publishers and the so-called legitimate media. They pretend to believe that under the system of law there is a First Amendment that is indivisible and absolute, which it has never been.

As you know, the First Amendment protects

speech that has already been expressed from state interference. That means it protects those who own media. There is no affirmative responsibility to be open to communictions to those who are powerless in the society at large.

As a result, the owners of media, the newspapers, and the TV networks are comfortable with having women's bodies defined as the speech of pimps, because they are protecting their rights to profit as owners, and they think that is what the First Amendment is for.

I am ashamed to say that people in my profession, writers, have also colluded with the pornographers. We provide their so-called socially redeeming value, and they rack the tortured bodies of women in the work that we do.

Politicians have colluded with the pornographers in municipals all over this country. They do it in these ways:

Zoning laws do not keep pornography out of cities. They are an official legal permission to traffic in pornography. And as a result, politicians are able to denounce pornography moralistically while protecting it through zoning laws.

They impose it on poor neighborhoods, on working-class neighborhoods, on neighborhoods where people of color live. All of those people have to deal with the increase in crime, the terrible harassment, the degradation of the quality of life in their neighborhoods, and the politicians get to protect the property values of the rich. There is an equal protection issue here—why this state makes some people pay so other people can profit.

But that has never been raised. We have never

been able to sue a city under the equal protection theory of this, because lawyers are on the other side. Lawyers belong primarily to pornographers, and the people who live in these neighborhoods that are saturated with pornography are powerless people. They don't even have power over municipalities.

In addition, in municipalities what pornographers do is that they buy land that is targeted for development by cities. They hold that land hostage. They develop political power through negotiating around that land. They make huge profits, and they get influence in local city governments.

A great colluder with the pornographers was the last Presidential Commission. They were very effective in legitimizing pornography in this country. The country is saturated with pornography, and saturated with violence against women, and saturated with the interfacing of the two. And they didn't find it.

None of the scientific research that they relied on to come to their conclusions is worth anything today. It's all invalid. I ask you to take seriously the fact that society does not exist in a laboratory, that we are talking about real things that happen to real people, and that's what we are asking you to take some responsibility for.

Finally, the ultimate colluders in the legitimizing of pornography are, of course, the consumers. In 1979 we had a $4 billion a year industry in this country. By 1985 it was an $8 billion a year industry. Those consumers include men in all walks of life: lawyers, politicians, writers, professors, owners of media, police, doctors, maybe even commission-

ers on presidential commissions. No one really knows, do they?

No matter where we look, we can't find the consumers. But what we learn is the meaning of first-class citizenship, and the meaning of first-class citizenship is that you can use your authority as men and as professionals to protect pornography both by developing arguments to protect it and by using real social and economic power to protect it.

And as a result of all of this, the harm to women remains invisible; even though we have the bodies, the harm to women remains invisible. Underlying the invisibility of this harm is an assumption that what is done to women is natural, that even if a woman is forced to do something, somehow it falls within the sphere of her natural responsibilities as a woman. When the same things are done to boys, those things are perceived as an outrage. They are called unnatural.

But if you force a woman to do something that she was born to do, then the violence to her is not perceived as a real violation of her.

In addition, the harm to women of pornography is invisible, because most sexual abuse still occurs in private, even though we have this photographic documentation of it, called the pornography industry.

In addition, pornography is invisible in its harm to women because women are poorer than men, and many of the women employed in pornography are very poor, many of them are illiterate; and because there is a great deal of female compliance with brutality, and the compliance is based on fear, it's based on powerlessness and it is based on a

reaction to the very real violence of the pornographers.

Finally, the harm is invisible because of the smile, because women are made to smile, women aren't just made to do the sex acts. We are made to smile while we do them.

So you will find in pornography women penetrating themselves with swords or daggers, and you will see the smile. You will see things that cannot be done to a human being, that are done only to men in political circumstances of torture, and you will see a woman forced to smile.

And this smile will be believed and the injury to her as a human being, to her body, and to her heart and to her soul will not be believed.

Now, we have been told that we have an argument here about speech, not about women being hurt. And yet the emblem of that argument is a woman bound and gagged, and we are supposed to believe that that is speech. What is that speech for? We have women being tortured, and we are told that that is somebody's speech? Whose speech is it? It's the speech of a pimp; it is not the speech of a woman. The only words we hear in pornography from women are that women want to be hurt, ask to be hurt, like to be raped, get sexual pleasure from sexual violence, and even when a woman is covered in filth, we are supposed to believe that her speech is that she likes it and she wants more of it.

The reality for women in this society is that pornography creates silence for women. The pornographers silence women. Our bodies are their language. Their speech is made out of our exploitation, our subservience, our injury, and our pain;

and they can't say anything without hurting us, and when you protect them, you protect only their right to exploit and hurt us.

Pornography is a civil rights issue for women, because pornography sexualizes an inequality, because it turns women into subhuman creatures.

Pornography is a civil rights issue for women because it is a systematic exploitation of a group of people because of a condition of birth. Pornography creates bigotry, hostility, and aggressions towards all women, targets all women, without exception.

Pornography is the suppression of us through sexual exploitation and abuse, so that we have no real means to achieve civil equality; and the issue here is simple, it is not complex. People are being hurt, and you can help them or you can help those who are hurting them. We need civil rights legislation, legislation that recognizes pornography as a violation of the civil rights of women.

We need it because civil rights legislation recognizes the fact that the harm here is to humans. We need that recognition. We need civil rights legislation because it puts the power to act in the hands of the people who had been forced into pornographized powerlessness; and that's a special kind of powerlessness, that's a powerlessness that is supposed to be a form of sexual pleasure.

We need civil rights legislation only because those to whom it has happened know what has happened. They are the people who are the experts. They have the knowledge. They know what has happened, and now that it's happened, only they can really articulate, from beginning to end,

the reality of pornography as a human rights injury. We need civil rights legislation because it gives us something back after what the pornographers have taken from us.

The motivation to fight back keeps people alive. People need it for their dignity, for their ability to continue to exist as citizens in a country that needs their creativity and needs their presence and needs their existence that has been taken from them by the pornographers. We need civil rights legislation because as social policy, it says to a population of people that they have human worth, that this society recognizes that they have human worth.

We need it because it's the only legislative remedy thus far that is drawn narrowly enough to confront the human rights issues for people who are being exploited and discriminated against, without being an instrument of police power to suppress real expression.

We need the civil rights legislation because the process of civil discovery is a very important one and will give us a great deal of information for potential criminal prosecution against organized crime, against prosecutors. And I ask you to look at the example of the Southern Poverty Law Center and their Klan watch project, where they have used civil suits to get criminal indictments against the Klan.

Finally, we need civil rights legislation because the only really dirty word in this society is the word *women,* and a civil rights approach says that this society repudiates the brutalization of women.

We are against obscenity laws. We don't want them. Number one, the pornographers use them as part of their formula for making pornography. All they need to do is to provide some literary, artistic, political, or scientific value and they can hang women from the rafters, as long as they manage to meet that formula. It doesn't matter what they do to women.

In the old days, when obscenity laws were still being enforced in many places, for instance in the most sadomasochistic pornography, the genitals were always covered because if the genitals were always covered, that wouldn't kick off a police prosecution.

Number two is the use of the prurient interest standard. The Supreme Court has taken two synonyms, lasciviousness and lust, and said that they mean different things, which is mind-boggling in and of itself. Whatever it is construed to mean, the reaction of jurors to material, whether they are supposed to be aroused or whether they are not allowed to be aroused, whatever the instructions of the court are, has nothing to do with the objective reality of what is happening to women in pornography.

Obscenity laws are also women-hating in their construction. Their basic presumption is that it's women's bodies that are dirty. The standards of community law don't acknowledge the reality of the technology. They were drawn up in a society where obscenity was construed to be essentially writing and drawing; and now what we have is a mass production in a way that real people are being

hurt and the consumption of real people by a real technology, and obscenity laws are not adequate to that reality.

Finally, obscenity laws, at the discretion of police and prosecutors, will keep obscenity out of the public view. But it remains available to men in private. It remains available to individual men, it remains available to all male groups; and whenever it is used, it still creates big industry, hostility, and aggression towards all women. It's still used in sexual abuse as part of sexual abuse.

I am going to ask you to do several things. The first thing I am going to ask you to do is talk to women who talk to you about things that have happened to them. Please listen to them. They know how it works.

The first recommendation I would like you to make is to have the Justice Department instruct law enforcement agencies to keep records of the use of pornography in violent crimes, especially in rape and battery, in incest and child abuse, in murder, including sexual assault after death, to take note of those murders that are committed for sexual reasons. To keep track, for instance, of suicides of teenage boys and the place of pornography in those suicides.

They should keep track of both the use of pornography before and during the commission of a violent crime and the presence of pornography at a violent crime.

I want to say that a lot of the information that we have about this, what we are calling the correlation, doesn't come from law enforcement officials—it comes from the testimony of sex offend-

ers. That's how we know that pornography is meaningful in the commission of sexual offenses.

Number two, get pornography out of all federal prisons. It's like sending dynamite to terrorists. Those people have committed violent crimes against women. They consume pornography. They come back out on the street. The recidivism rate is unbelievable, not to mention that prison is a rape-saturated society. What about the rights of those men who are being raped in prisons, and the relationship of pornography to the rapes of them?

No one should be sentenced to a life of hell—being raped in a prison. You can do something about it by getting the pornography out of prisons.

Number three, enforce laws against pimping and pandering, against pornographers. Pandering is paying for sex to make pornography of it. A panderer is any person who procures another person for the purposes of prostitution. This law has been enforced against pornographers in California. Prosecute the makers of pornography under pimping and pandering laws.

Number four, make it a Justice Department priority to enforce RICO against the pornography industry. Racketeering activity means, as you know, any act or even a threat involving murder, kidnapping, extortion, any trafficking in coerced women, which for reasons that are incomprehensible to me is still called white slaving, although the women are Asian, the women are black, all women are still being trafficked in this way. This is how pornographers do their business, both in relation to women and in relation to women distributing their product.

How Citizens Can Take Action Against Pornography

Excerpt from the Report of the Attorney General's Commission on Pornography, 1986

Citizen interest in pornography control is a vital component of any local law enforcement program. Since one aspect of the constitutional test for obscenity is the notion of contemporary community standards, this is an area of the law which presents a significant opportunity for public input.

Citizens concerned about pornography in their community should initially determine the nature and availability of pornographic materials in their community, existing prosecution policies, law enforcement practices, and judicial attitudes in the community. They should inquire whether these enforcement mechanisms are adequately utilized. They should determine whether the official perception of the current community standards is truly reflective of public opinion.

If enforcement mechanisms appear inadequate or ineffective, if legislative change is necessary to enhance the effectiveness of the criminal justice system, or if the volume of pornography or offensive material is a particular problem in the community,

citizens should consider developing a community action program.

A successful community action program should contain the following components: (1) Sincere citizen interest in controlling the proliferation of pornographic material in their community; (2) A police department that is willing to allocate a reasonable portion of its resources to obscenity enforcement; (3) A prosecutor who, in keeping with his or her oath of office, will aggressively pursue violations of obscenity statutes with due regard for the right to distribute constitutionally protected material; (4) A judiciary that is responsive to obscenity violations and will sentence offenders appropriately.

Additional methods by which community action organizations can express their concern about pornography in their community include: (1) Citizen involvement in educating legislators, law enforcement officials, and the public at large as to the impact of pornography on their particular community; (2) Citizen action in the area of lawful economic boycotts and picketing of establishments which produce, distribute or sell sexually explicit materials in the community; (3) If the techniques of anti-display and nuisance laws as well as zoning ordinances are determined to be appropriately tailored to the pornography problem in their community, citizens are encouraged to advocate measures to their local legislators; and (4) A business community that exercises sound judgment as to the effect on the community they serve of material offered in their establishment.

In the area of pornography regulation it is important that the above items be seriously addressed and effectively coordinated. The best-written laws will be ineffective if prosecutors do not enforce them or if judges fail to recognize the extent of citizen concern when sentencing offenders. The goals of the community effort against pornography should be to establish constitutionally sound obscenity laws that meet their particular needs, to encourage adequate enforcement of these laws, and to use private action to curb the flow of pornography and obscenity in their community.

At the same time, citizens should be aware of the risks of an overzealous approach. First, citizens should recognize that there is a diversity of views as to what, if any, regulations should be imposed on pornographic material. The United States Supreme Court has established definitional guidelines for obscenity, which are discussed elsewhere in the Report, but not without considerable division of opinion. Undoubtedly, diversity of views regarding regulations, enforcement priorities, and appropriate community action will exist to varying degrees in each community. These views should be recognized and addressed by citizen advocates.

In maintaining a balanced approach, citizens should be aware of the legal criteria for distinguishing material which is obscene from that which is merely distasteful to some. However, citizen groups may wish to focus on materials which are not legally obscene and which are constitutionally protected from government regulation. Citizens may pursue a variety of private actions with respect to this

nonobscene but offensive pornographic material.

It is also important for citizen activists to recognize the rights of other individuals and organizations when exercising their own. Advocates of strict enforcement of pornography laws should recognize the rights of individuals within opposing views. Moreover, while citizens have every right to picket, the pickets should not preclude others from entering or leaving business premises.

Finally, community action groups should guard against taking extreme or legally unsound positions or actions, such as unfounded attacks on the content of school reading lists, library shelves and general discussions of sex-related topics. With respect to their communications with a public official, members of citizen action groups should also be aware that such official is duty-bound to determine the legality of material without regard to the official's personal opinion.

The decision to form or support a citizen action group is one that must be made by each community and participating individuals. If a decision is reached to establish such a group, its members should become involved in advocating, establishing and maintaining community standards related to pornography. The following discussion highlights ways in which citizens can maximize their efforts in this regard while recognizing competing constitutionally protected interests. The suggestions which have been developed were prompted by hundreds of telephone calls and tens of thousands of letters from concerned citizens seeking advice on how to address the pornography issue.

Suggestion 1: Citizens Concerned About Pornography in Their Community Can Establish and Maintain Effective Community Action Organizations.

Informed and vocal citizen action and community involvement are the cornerstones of an aggressive program for enforcement of obscenity laws. Presently, some form of obscenity law exists at the federal level and in all but a few states. While there are some areas of the law in which this Commission has recommended change, the lack of prosecution of obscenity cases appears to be directly attributable to a failure of enforcement. Public expression of concern about pornography and a call for redoubled law enforcement efforts will undoubtedly trigger an increase in official action.

In organizing a plan of community action, a reasonable objective should be identified. This objective may take the form of increased prosecution, tougher sentencing, or private action against merchants. Citizens should also acquaint themselves with the fundamental elements of obscenity law and the principal judicial decisions in this area. It is equally vital that concerned citizens work together to establish a community standard which reflects the collective view of the community.

Citizens can become effective advocates by acting as role models both within their families and their community. To this end, they can choose (1) not to consume pornography; (2) not to patronize individual businesses or corporations which produce, distribute or sell pornography, while patron-

izing those that do not; (3) to voice their concerns to other citizens and government officials about the pornography problem in their community; and (4) to organize with other concerned individuals toward a common goal.

In establishing and maintaining a community standard, citizens can engage in a variety of activities. Perhaps the best way to establish and maintain a community standard is through educational campaigns. These can take the form of letter-writing campaigns, telephone banks, picketing, and lawful boycotts. The end product of the information gathering and disseminating process should be the emergence of a solid collective community standard. It is important that, in taking these actions, citizens be respectful of the constitutional rights of persons or businesses engaged in the marketing of materials thought to be offensive by citizen group members.

Suggestion 2: Community Action Organizations Can Solicit Support From a Broad Spectrum Of Civic Leaders and Organizations.

A community action organization should solicit membership and support from religious, charitable, educational, political, parent-teacher, civic, and other community organizations. Citizens should also seek the endorsement of public officials for their activities. Moreover, the group should select responsible citizens as organizational leaders. In this way, the community action organization will reflect a cross section of civic leaders and organizations and maintain diverse and broad-based support.

Suggestion 3: Community Action Organizations Can Gather Information About Pornography in Their Community.

The mainstay of any effective advocacy process is complete information. Citizen action groups must be informed as to which local, state, and federal officials are responsible for the enforcement of obscenity laws. These groups must also determine the nature and extent of the pornography problem in their community and have a working knowledge of the laws governing this material.

There are basically three law enforcement tiers in each of the federal, state, and local government systems. The first is the investigative tier. At the state and local level, the police or other law enforcement agency investigates alleged violations of the law. At the federal level, the investigative agencies which have jurisdiction over obscenity violations include: the Federal Bureau of Investigation (interstate transportation of obscene material), the Postal Inspection Service (illegal use of the mail to send obscene material), and the United States Customs Service (importation of obscene material).

The second tier involves the prosecutorial function. In some jurisdictions the local prosecutor may bring criminal actions, as well as civil suits on behalf of the citizens they represent, against those individuals and corporations who have allegedly violated the law.

There are prosecutors at the local and state levels who are responsible for enforcing local and state ordinances and statutes respectively. There are also prosecutors at the federal level, which are

part of the United States Department of Justice and are located throughout the nation in regional United States Attorneys Offices. There are ninety-four such offices in the United States.

The third tier is the judiciary. The judicial branch is responsible for offering a forum for the resolution of civil disputes and criminal allegations. The judge is also responsible for sentencing those convicted of criminal offenses. There are judges at each level of government who are responsible for interpreting and upholding the laws in their jurisdiction.

It is important to note that the same illegal act may in some instances give rise to both civil and criminal actions. Moreover, some offenses may be actionable under local, state, and federal law. It is equally important to remember that many of the officials responsible for law enforcement are elected or appointed for a term of years. These individuals are sensitive to citizen input, but in the final analysis are obligated to base their prosecutorial decision on their interpretation of the law.

With this law enforcement structure in mind, there are four basic steps citizens should follow in gathering information on pornography in their community.

The first step in this information-gathering process is to review local, state, and federal obscenity and pornography-related laws. Second, citizens should also familiarize themselves with the pertinent legal decisions governing the control of obscene material. It is important to understand what is *not* obscene as well as what *is* obscene. In order to develop this understanding, citizens are encour-

aged to review state and federal case law which discusses materials which have been found obscene, as well as cases where sexually explicit materials have been found to be constitutionally protected. Citizens are also encouraged to consult with attorneys or other knowledgeable persons on the laws in this area.

Third, concerned citizens should survey pornography producers, distributors, retailers, and the actual materials available in the market place. The following is a breakdown of the types of media and establishments that often offer pornographic material in most communities in the United States. The series of questions listed below each heading should facilitate a thorough survey of these establishments and media.

A. Establishments and Media Survey Questions

1. "Adults Only" Pornographic Theaters
   a. How many pornographic theaters are there in the community? Where are they located?
   b. What movies are shown?
   c. Are sexually explicit advertisements in full public view?
   d. Are any of the theaters of the drive-in type?
   e. What precautions, if any, are taken to prevent minors from gaining access to these establishments?

2. "Adults Only" Pornographic Outlets
   a. How many pornographic outlets are there in the community and where are they located?
   b. What materials are sold? Magazines? Paperbacks? Sexual devices? Videos? Films?

c. Are there peep show booths where movies are shown?
d. Are there live peep shows?
e. Is sexual activity taking place in these establishments?
f. Are these pornographic outlets serving as a solicitation point for prostitution?
g. Are these pornographic outlets adequately inspected for public health violations?

3. Retail Magazine Outlets
   a. How many retail magazine outlets in the community offer pornographic material?
   b. Where are they located?
   c. What magazines and paperbacks do they stock?
   d. Are they displayed on the counter?
   e. Behind the counter?
   f. In racks with general magazines?
   g. In blinder racks?
   h. What precautions, if any, are taken to keep minors from being exposed to these materials?

4. Video Tape Cassette Retailers
   a. How many of the video tape cassette stores, and convenience stores selling and renting videos in the community, stock sexually explicit or sexually violent videos?
   b. Where are the sexually explicit or sexually violent videos displayed?
   c. What precautions, if any, are taken to keep minors from purchasing, renting, and being exposed to these videos?

5. Cable, Satellite and Over-the-Air Subscription Television
   a. Is there a cable franchise or over-the-air subscription service in your community?
   b. Are sexually explicit or obscene programs being distributed? When?
   c. What precautions, if any, are taken to keep minors from being exposed to these services?

6. Dial-A-Porn
   a. Does a telephone company in your community have a Dial-A-Porn service available through its MANS Announcement Network Service (976 prefix)?
   b. What is the nature of this service?
   c. Are there pre-recorded sexually explicit conversations?
   d. Are there live telephone conversations?
   e. Are children in the community calling this service?
   f. How are the Dial-A-Porn services advertised, and are these advertisements directed to the attention of minors?
   g. What precautions, if any, are being taken to shield minors from exposures to Dial-A-Porn?

7. Hotels
   a. How many hotels in the community advertise and provide sexually explicit or sexually violent movies for their guests?
   b. Where are these hotels located?
   c. What precautions, if any, are taken to preclude minors from viewing these movies?

d. Are these hotels used for prostitution or other related crimes?

8. Computer Pornography
   a. Are pornographic computer services available in your community?
   b. What is the nature of the service?
   c. Are conversations pre-programmed?
   d. Are conversations live?
   e. Are children in the community using this service?
   f. What precautions, if any, are being taken to keep minors from gaining access to this system?

B. Officials

Concerned citizens should also acquaint themselves with the names of the elected and appointed officials responsible for undertaking enforcement action against obscenity. At the local level, these officials include the mayor, city council members, county prosecutor, zoning officials, and the chief of police. In the case of a military community, citizens should contact the Base Commander to inform him of the pornography problem present in the community and the distribution of material on the military base.

The community action leaders may also contact the state attorney general, state legislators, public health officials and the governor, if local efforts prove unsuccessful.

In addition, if inadequate federal enforcement is a matter of concern, citizen action groups should

consider contacting such federal officials and agencies as members of Congress, United States Senators, the Department of Justice through its United States Attorneys, the Federal Bureau of Investigation, the United States Postal Inspection Service, and the United States Customs Service.

Suggestion 4: Community Action Organizations Can Educate the Public About the Effect Pornography Has on Their Community.

Citizen interest in the pornography issue is a vital component of any community action program. In order to instill such interest, community action groups should disseminate information concerning the nature and extent of pornography in the community. This should include an assessment of the current enforcement effort and the rationale for that policy. Citizen groups can provide this invaluable educational service by not only sharing their concerns about pornography, but by sharing their knowledge. This information will encourage other citizens to focus on the pornography issue and make an evaluation of its effect on their community based on a factual analysis.

Suggestion 5: Community Action Organizations Can Communicate With Law Enforcement Officials and Prosecutors About the Pornography in Their Jurisdiction.

Citizens and community action organizations should determine whether laws relating to obscenity are being adequately enforced in their area.

Officials should be alerted to violations of laws relating to obscenity and unlawful sexual activity.

The section below entitled *Police* contains a detailed series of questions concerning (1) investigations conducted, complaints filed and arrests made, (2) indictments, prosecutions and convictions, (3) citizen complaints, (4) problems faced by law enforcement officials, and (5) law enforcement priorities, which can be used when discussing the pornography issue with any law enforcement agency official.

A. Questions for Law Enforcement Agencies

1. Police

If it appears that inadequate police resources are being devoted to enforcement of obscenity and pornography-related laws, citizens should meet with police officials and voice their concern. The following questions may serve as a foundation for an analysis of the police role in enforcing laws in this area.

a. In the past year, how many obscenity and pornography-related complaints were filed with the police department? How many actual investigations were conducted? How many obscenity and pornography-related arrests did the department make? Did those arrests involve child pornography? Did the arrests involve adult obscenity violations? Other? Did

those arrests evolve as a result of investigation or through some other circumstance?

b. How many obscenity and pornography-related cases did the police department present to the local prosecutor for prosecution during the preceding year? How many cases have been presented to the local prosecutor for prosecution in the current year? How many of the cases did the prosecutor present for indictment? What type of cases were these? How many cases did the prosecutor decline to prosecute? What types of cases were these? What was the basis for the prosecutor's decision not to prosecute these cases?

c. In what types of cases have obscenity convictions been obtained in the past year? Of the cases prosecuted, how many resulted in convictions? Of the convictions obtained, how many resulted in incarceration? How many resulted in fines? In how many cases was the charge reduced by negotiation?

d. How many citizens' complaints concerning pornography were received in the preceding year? How many in the current year? What action was taken on these complaints?

e. What problems do the law enforcement agents encounter in making obscenity and pornography-related arrests? What problems do law enforcement agents face in presenting these cases for prosecution?

f. What is the police department's general policy concerning obscenity and pornography-related law enforcement? What does the police department perceive as the community standard?

2. Local Prosecutor

The local prosecutor may be the district, county, city, state or commonwealth's attorney, depending upon the jurisdiction. Community action groups should arrange a meeting with their local prosecutor and express their interest in the pornography problem in their area. The line of questions listed above should provide a framework for questions for the local prosecutor. Citizens should specifically inquire about the prosecutor's assessment of the community standard in their area and the basis for the opinion.

3. United States Attorney

Violations of federal obscenity laws should be referred to the United States Attorney in the jurisdiction where the violation occurred. The Office of the United States Attorney is a division of the United States Department of Justice and is guided in its prosecutorial decision-making by departmental guidelines. Prosecutorial priorities are established on the basis of the United States Attorney's assessment of a particular problem in his or her district. If pornography appears to be a major concern in a geographical area, the United States Attorney

should be made aware of the severity of the problem. The United States Attorney, upon confirmation of this fact, should contact the other members of the Law Enforcement Coordinating Committee (LECC's) in his or her jurisdiction to devise a coordinated approach to this problem.

In addition to those questions suggested above, the following are questions which community action leaders might wish to ask the United States Attorney:

a. How many obscenity cases were referred to the Office of the United States Attorney by the Federal Bureau of Investigation, United States Customs Service, United States Postal Inspection Service, or Federal Communications Commission during the past five years?

b. How many of those cases were prosecuted?

c. In how many cases was organized crime a factor?

d. How many citizens' complaints concerning obscenity were referred to the United States Attorney's office during the past five years for investigation by (1) the Postal Investigation Service when the United States mails were used illegally to send obscene material, (2) the United States Customs Service when the importation of obscene material was involved, (3) the Federal Bureau of Investigation where interstate transportation of obscene material was involved, or (4) the Federal Communications Commission where

violations pertaining to cable pornography, obscene or indecent broadcasting or Dial-A-Porn were involved?

4. Local Offices of the Federal Bureau of Investigation, the United States Postal Inspection Service, and the United States Customs Service

The local offices of the Federal Bureau of Investigation, the United States Postal Inspection Service, and the United States Customs Service are the investigatory arms of the Federal Government for obscenity violations. Pornographic materials found in the community which may violate federal obscenity laws should be referred to these agencies for further investigation. These agencies should then refer all confirmed violations of federal law to the United States Attorney for prosecution or may, if appropriate, refer them to the local or state prosecutor. Community action organizations may wish to visit the local offices of these agencies and inquire about the level of obscenity enforcement in their area.

Suggestion 6: Citizens Can File Complaints, When Appropriate, With the Federal Communications Commission About Obscene Broadcasts.

If the FCC is unresponsive to citizen complaints, citizens should advise their state and federal legislative representatives of such inaction and request their intervention.

Suggestion 7: Community Action Organizations Can Conduct a "Court Watch" Program.

A "Court Watch" program has the two-fold purpose of informing citizens about the court disposition of significant obscenity cases and expressing the citizens' view about the handling of these types of cases. Citizens involved in a "Court Watch" program will often sit through a court hearing or trial. They will write to the prosecutor, judge, or police officer and relay their opinions of the investigation, prosecution and disposition of the case.

"Court Watch" participants will also relay their findings to other interested parties, the media and legislators. In addition, these individuals will often publicly disseminate the information they have gathered when officials come up for reappointment or reelection.

"Court Watch" programs have been conducted by Mothers Against Drunk Driving (MADD) for the past several years. Through their efforts, MADD has not only increased community awareness about drunk driving but has also been successful in influencing legislators and the law enforcement community. As a result, penalties for drunk driving have been significantly increased in many states.

In sum, a "Court Watch" program will inform the judiciary and other law enforcement officials of the community's concern about obscenity in their area.

Suggestion 8: Community Action Organizations Are Encouraged to Keep Informed of Developments in Obscenity Laws and May Wish, When Appropriate, to Lobby for Legislative Changes and Initiatives.

In many, if not most jurisdictions, the unfettered flow of obscenity is a direct product of the laxity of enforcement, rather than the inadequacy of law.

Citizens are urged to encourage the enforcement of existing laws before they attempt to introduce new legislation. If the laws themselves prove to be inadequate, then the community should identify and adopt more effective statutes. Citizens should, therefore, carefully assess the obstacles to enforcement.

Suggestion 9: Community Action Organizations Can Provide Assistance and Support to Local, State and Federal Officials in the Performance of Their Duties.

Community action organizations can be a valuable resource to legislators and law enforcement agencies by providing assistance and support. Such support can be evidenced in many ways, including letter-writing campaigns, petition drives, attendance at public hearings, testimony at legislative hearings and electoral support.

Suggestion 10: Citizens Can Use Grassroots Efforts to Express Opposition to Pornographic Materials to Which They Object.

Some types of pornographic materials may be harmful, offensive, and incompatible with certain community values, but nonetheless fall short of the legal standard for prosecution as obscenity. In these instances grassroots efforts may be an effective countermeasure. Grassroots actions are measures

initiated and coordinated privately by citizens, without governmental intervention.

Grassroots measures may include picketing and store boycotts, contacting cable broadcasting companies to protest sexually explicit programs, contacting sponsors of television and radio programs with pornographic or offensive content, and the use of the media to express public concern through letters to the editor and audience participation programs.

A number of community action organizations have confronted retailers of pornography with the magnitude of public concern about the display and sale of this material and have experienced positive results. Some stores have been persuaded to store the material in blinder racks behind the counter. Other merchants have elected to discontinue the sale of material altogether.

When discussions with retailers prove ineffective, pickets and economic boycotts are an alternative method of citizen action. Pickets and boycotts serve to publicly identify merchants which sell these types of materials. If utilized appropriately, they can be an effective means of communicating public opposition to such material and alerting retailers that every option available will be exercised to discourage their circulation.

It is well established that citizens have a constitutional right to boycott for political purposes. In *Missouri v. National Organization for Women,* the state of Missouri brought an action against the National Organization for Women (N.O.W.) when they organized a campaign for a convention boycott of states which had not ratified the Equal

Rights Amendment. The court held that such boycotts were a legitimate means of petition, protected by the First Amendment.

This issue was later addressed by the Supreme Court in *NAACP v. Claiborne Hardware Co.* In this case, a local branch of the NAACP launched a boycott of white merchants in Claiborne County, Mississippi, to secure compliance by both civic and business leaders with a list of demands for racial equality. In 1969, those merchants filed suit against the NAACP for injunctive relief and damages. The Supreme Court upheld the NAACP's actions stating: "In sum, the boycott clearly involved constitutionally-protected activity. The established elements of speech, assembly, association and petition, though not identical, are inseparable. Through exercise of these First Amendment rights, petitioners sought to bring about political, social, and economic change."

While pickets and boycotts are constitutionally permissible, and in some instances socially desirable, citizens exercising these practices should be sensitive to the competing rights of others who adopt an opposing viewpoint. This approach is not only socially responsible but is effective advocacy.

Moreover, the visibility of pickets and lawful boycotts will undoubtedly attract both media and corporate attention. It is important, therefore, that the community action organization carefully articulate their concerns. A rational and logical discussion of these issues is the best method to evoke constructive debate geared toward an acceptable resolution of the pornography problem in the community.

Most importantly, retailers are in business to make money. They realize that their success is a direct product of consumer satisfaction and community patronage. Citizen pickets and boycotts are a sign of community dissatisfaction. Therefore, retailers are unlikely to view organized pickets and lawful economic boycotts lightly.

These types of citizen initiatives can also be effective against cable and satellite television companies who show offensive or sexually explicit programs. Cable operators are not required to offer sexually explicit subscription services. The economic realities of consumer dissatisfaction with such programming may be felt when customers cancel subscriptions or potential subscribers notify the cable company that they are not subscribing to the basic service because sexually explicit progamming is offered on the system. Citizen groups should also actively participate in the cable franchising process by informing local officials and cable company representatives what type of cable programming the community is willing to patronize.

Advertisers may also be influential in furthering grassroots initiatives. Advertisers are in the business of promoting positive public relations. If an advertiser believes that sponsoring a program, advertising in a particular magazine, or using provocative advertisements will have a negative impact on sales, it may reconsider this advertising program.

Community action organizations can also utilize numerous outlets for public comment offered by the media. Newspapers and magazines usually have

"letters to the editor" columns which invite comment on current or topical issues. Radio and television talk shows may offer audience participation. These outlets offer a means of reaching large segments of the community.

Another important grassroots measure is organized involvement in the legislative process. Citizen action is essential to the enactment of local pornography-related legislation. Citizens should determine if their community has nuisance, zoning, and anti-display laws and if said laws would serve the particular needs of the community. Nuisance laws prohibit certain illegal activities from taking place in pornographic establishments and often result in closing down the operation if a violation is found. Zoning laws regulate the way land can be used in the community.

Finally, anti-display laws regulate the method by which pornographic materials can be publicly displayed. Statutes or ordinances may be enacted to restrict the display of sexually explicit materials to minors. In order to conform to constitutional requirements, such laws should apply only to materials that are obscene as to minors, and should also contain reasonable time, place, and manner restrictions.

In light of the legislative options available, communities can constitutionally exercise control over the location of pornographic establishments as well as the display of pornographic materials by retailers.

Citizens should contact their legislators, law enforcement officials, community leaders, and media representatives to discuss the role such statutes

might play in controlling the distribution of pornography in their community. Citizen action groups should educate these individuals and organizations as to how such laws could ease the circulation of pornography in their community. Only by making the control of pornography a community objective, and endorsing legislation toward that end, will the citizen action group realize its goals.

Suggestion 11: Citizens Can Exercise Their Economic Power by Patronizing Individual Businesses and Corporations Which Demonstrate Responsible Judgment in the Types of Materials They Offer for Sale.

Citizens should recognize individual businesses and corporations which exercise sound judgment in the selection of their book, magazine, and video tape inventory. Businesses which elect not to produce or distribute pornography in an effort to uphold or reinforce community standards should be commended. The same logic applies with equal force to radio and television stations which offer pornographic or offensive programming. Citizens can use their economic power by patronizing those businesses and corporations which support a standard of quality in the community. Such patronage and subscription will serve as further evidence to merchants that the local community has set its standard with respect to such material.

Suggestion 12: Parents Should Monitor the Music Their Children Listen To, and the Recording Artists and Producers Should Use Discretion in the Fare They Offer to Children.

Concern has been expressed over many of the lyrics heard in contemporary rock music. Many popular idols of the young commonly sing about rape, masturbation, incest, drug usage, bondage, violence, homosexuality, and intercourse. Given the significant role that music plays in the lives of young people, and considering the fact that even pre-teenagers often listen to such material several hours a day, this issue was considered carefully by the Commission. Two conclusions ensued.

First, it is recommended that parents closely monitor the music heard by their children. An effort should be made by parents to evaluate the lyrics expressed on radio and television, in rock videos and on pornographic records. Considerable concern has also been expressed about the violence and sexual explicitness portrayed on the covers of such albums. Some of the album covers displayed to the Commission appeared to exhibit depictions satisfying the legal standard for obscenity.

Second, in order to facilitate this parental involvement, the Commission endorses the agreement reached in November 1985, between the Parents Music Resource Center and the Recording Industry Association of America. By the terms of this voluntary arrangement, the recording industry agreed to label albums containing explicit sex, violence, drug or alcohol abuse with the words "explicit lyrics" or "parental advisory," or else the actual lyrics would be printed on the album jackets.

The Commission strongly recommends that the recording artists and producers use greater discretion in the music they offer to juveniles. As a first step, however, this voluntary agreement will help

parents and teachers take a more active role in limiting their children's exposure to this material.

Suggestion 13: All Institutions Which Are Taxpayer Funded Should Prohibit the Production, Trafficking, Distribution, or Display of Pornography on Their Premises or in Association With Their Institution to the Extent Constitutionally Permissible.

Federally funded or assisted institutions should be prohibited from producing, trafficking, distributing, or displaying pornography except for certain well defined legitimate purposes. These institutions include, but are not limited to, hospitals, schools, universities, prisons, government office buildings, military installations and outposts, and mental health facilities. We recognize that in many areas governmental action may, as a matter of constitutional law, be taken only with respect to materials that are legally obscene, and we do not suggest that institutions go beyond their constitutional limitations. In other cases, however, of which schools are the most obvious example, content-based restrictions of the material available in the institutions need not be limited to the legally obscene, and we recognize not only the right but the responsibility of such institutions to control content consistent with the needs of the institution.

Suggestion 14: Businesses Can Actively Exercise Their Responsibility as "Corporate Citizens" by Supporting Their Community's Effort to Control Pornography.

As "corporate citizens," businesses should be responsive to community sentiment regarding the production and distribution of pornographic materials. Many different types of businesses are involved in the various stages of production and retail distribution including film processors, typesetting and printing services, delivery services, warehouses, commercial realtors, computer services, cable and satellite companies, recording companies, hotels, credit card companies, and numerous others. These businesses have a responsibility to exercise due care to insure that they are not contributing to the moral detriment of their community. Businesses can be encouraged to insure that they are not being unknowingly used as an instrument for the spread of obscene or pornographic material which the community has requested not be produced or sold on moral, social, or other legitimate grounds.

Corporations are encouraged to conduct site inspections of their facilities and to conduct quality-of-content examinations of their inventory to safeguard against the sale of materials which offend the community standard. In the case of credit card companies, a review of the types of businesses that their "merchant" members are conducting might be useful. Information and entertainment companies such as cable and satellite systems, computer network services, and recording companies should monitor their systems for obscene or other material which offends the community they serve. Broadcasters, advertisers, and retailers should diligently protect children and unwilling adults from exposure to sexually explicit communications.

A second role for corporations, as members of local communities, is to actively support citizen action efforts to curb the proliferation of pornography in the community.

Moreover, corporations, as part of their more general social responsibility, are encouraged to establish and participate in pornography "victim" assistance programs. They can do this by contributing to social service agencies who specialize in or deal with sexual abuse. They can also provide direct financial assistance, in the form of scholarships and vocational programs, to "victims" of pornography.

Finally, corporations can sponsor local educational programs on pornography and its effects on the community. These programs could then be provided to schools, businesses, legislators, law enforcement officials, churches, and other interested groups.

Corporations can and do have an impact on community standards and law enforcement practices. It is up to corporations to act as responsible citizens to ensure that their community is not just a location for another retail outlet, but a worthwhile place to live.

Conclusion

Citizen and community involvement in law enforcement and the formulation of legal initiatives is an age-old tradition. Citizens create laws through their elected officials and delegate enforcement of these laws to police, prosecutors, and judges.

When the law enforcement mechanism inad-

equately addresses a particular problem, citizens and communities must explore other avenues. Many times citizens must, on their own, publicly advocate a community environment which reflects their view of an ideal place to live.

This Commission encourages citizen and community involvement. Examples abound of where citizens have made a difference in the quality of life in their community. "Neighborhood Watch" programs, where citizens protect each other's homes, is a prime example of positive citizen efforts. Mothers Against Drunk Driving is another example in which citizen action has made communities across the country a safer place to live. This Commission applauds such efforts and encourages others to improve the quality of life in their community.

About Phyllis Schlafly

Mrs. Schlafly received her B.A. with Honors from Washington University in St. Louis in 1944, her M.A. from Harvard University in 1945, and her J.D. from Washington University Law School in 1978.

Mrs. Schlafly is the President of Eagle Forum, a national pro-family organization, and a member of the Commission on the Bicentennial of the United States Constitution (by appointment of President Reagan). She is a member of the Illinois Bar, the District of Columbia Bar, the Missouri bar, and a past member of the Administrative Conference of the United States.

Mrs. Schlafly has written a monthly newsletter since 1967. She is the author of more than 1,000 syndicated columns, has delivered more than 1,000 network television and radio commentaries, has lectured at hundreds of colleges and universities, and has testified before 50 Congressional and State Legislative Committees. Since 1977, she has been listed by *Good Housekeeping* as one of the 10 most-admired women in the world.

The United States Supreme Court speaks–

"We hold that obscenity is not within the area of constitutionally protected speech or press."
Roth v. United States, 354 U.S. 476 (1957)

"This much has been categorically settled by the Court, that obscene material is unprotected by the First Amendment."
Miller v. California, 413 U.S. 15 (1973)

"The prevention of sexual exploitation and abuse of children constitutes a government objective of surpassing importance... [Child pornography] is not entitled to First Amendment protection."
New York v. Ferber, 458 U.S. 747 (1982)

Despite these clear pronouncements by the Supreme Court, the commercial pornography industry is expanding at an enormous rate. No one can read the tragic case histories in this book and still believe that pornography is a "victimless crime."

Pornography's Victims consists of the testimonies of witnesses before the Attorney General's Commission on Pornography. They are excerpted by **Phyllis Schlafly** who is, in the words of author George Gilder, "among the tiny number of leaders who have made a decisive and permanent difference [in this era]... She changed the political landscape of her country. In fact, by the measure of the odds she faced and overcame, Schlafly's achievement excels all the others."

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