

NOTICE OF VIOLATION

OF LAW GOVERNING THE STATE OF TENNESSEE

To: Governor Phil Bredesen
Governors Office
Nashville, TN, 37243-0001

Dear Sir,

Tennessee citizens continue to suffer a deluge of pornography. The two major sources are internet sites, and pornographic programs on cable television. This is not news to anyone, nor is it news to you that this is a violation of Tennessee law, which prohibits pornography distribution by any medium. Tennessee law prohibiting pornography is found in Title 39, Chapter 17, Part 9, the relevant sections of which are reproduced below.

39-17-902.

(a) It is unlawful to knowingly produce, send or cause to be sent, or bring or cause to be brought, into this state for sale, distribution, exhibition, or display, or in this state to prepare for distribution, publish, print, exhibit, distribute, or offer to distribute, or to possess with intent to distribute or to exhibit or offer to distribute any obscene matter, or to do any of the aforementioned with any matter found legally obscene that violates the requirements of 18 U.S.C § 2257. It is unlawful to direct, present or produce any obscene theatrical production, peep show or live performance, and every person who participates in that part of such production which renders the production or performance obscene is guilty of the offense.

39-17-901. definitions.

(7) "Matter" means any book, magazine, newspaper or other printed or written material or any picture, drawing, photograph, motion picture film, videocassette or other pictorial representation, or any statue, figure, device, theatrical production or electrical reproduction, or any other article, equipment, machine or material that is obscene as defined by 39-17-901 - 39-17-917.

(10) "Obscene" means:

- (A) The average person applying contemporary community standards would find that the work, taken as a whole, appeals to the prurient interest;
- (B) The average person applying contemporary community standards would find that the work depicts or describes, in a patently offensive way, sexual conduct; and
- (C) The work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

(11) "Prurient interest" means a shameful or morbid interest in sex. (authors note: "shameful" as defined by the community, not the violator; a shameful corruption of human dignity.)

Reasoning behind the laws

Pornography does real damage to adults, children, marriages, jobs. These videos, and images often find their way to children, where their amoral message of faceless, disposable people as sex objects is taught. It is to prevent harm to society and our children that Tennessee has outlawed pornography distribution .

What we consent to forms and reinforces who we are...respect, patience, self control, make for people of decency. Pornography forms the next generation of child molesters; Violent video games cultivates gangs; immodest fashions incite sexual promiscuity. The moral reasoning of an individual is formed in part by the standards of his society. Following generations inherit the norm that we provide for them - sexuality as no longer a beautiful and precious gift, but something sold by the page, pound, or minute. Anyone can cultivate a taste for pornography, drugs, violence. It is our moral reasoning, not our emotions that tell us these things are wrong.

Tennessee law does not exempt internet pornography filtered by a "safe search" option, nor does it allow pornography under a ".xxx" internet domain. Obscenity is not essential for the expression of an idea and is not protected by federal or state freedom of speech statutes. Internet, phone, and cable T.V. companies that fail to filter out pornography are illegally distributing pornography.

Governor Bredesen, you must immediately task the state attorney general with eradicating electronic distribution of pornography within our borders! The technology is available, you need only supply the will to do it. The attorney general should seek a judge's order that electronic media distribution companies install and operate filtering technology within one year, with a large per day fine for not doing so. A citizens commission would decide on questionable material.

The undersigned citizen(s) call on you to enforce existing state law prohibiting pornography, for the well being of our children and all our citizens. Please inform me of the steps you are taking.

Sincerely,