

For Immediate Release:

**FEDERAL COURT RULES OHIO INTERNET RESTRICTION  
VIOLATES FIRST AMENDMENT**

*COURT FINDS LAW RESTRICTS ADULT-TO-ADULT COMMUNICATIONS*

New York, NY (September 25, 2007) ... A federal judge in Ohio yesterday overturned on First Amendment grounds the Ohio law that restricts the dissemination over the Internet of sexually oriented material that is illegal for children but not for adults, the Media Coalition announced today. The lawsuit was brought by organizations representing booksellers, book publishers, music and video retailers, newspapers and others. Media Coalition coordinated the legal action for the organizations.

“In striking down the law, yesterday’s decision is consistent with every other court ruling on similar laws,” noted David Horowitz, Executive Director of Media Coalition. “While we should have adequate legal safeguards to shield children from objectionable content, those safeguards cannot unreasonably interfere with the rights of adults to have access to materials that are legal for them.”

The Ohio law attempted to prohibit individuals from sending communications that are “harmful to minors” (obscene for minors) over the Internet if the sender knows or should know that the recipient is a minor. While acknowledging the dangers of child predators on the Internet, Judge Walter Herbert Rice of the U.S. District Court for the Southern District of Ohio found that the law violated the First Amendment because it was too broadly written. Specifically, he found that the law could have ensnared adults having sexually frank discussions with other adults in chat rooms and the like. The judge noted that the U.S. Supreme Court has held that “every user of the internet has reason to know that some participants in chat rooms are minors” and that there is no way to ensure that minors are not part of the conversation. The judge also noted that several other courts had reached the same conclusion regarding similar laws in other states.

Judge Rice also declared that the law violated the First Amendment because it failed to target only individuals who intended to disseminate sexually oriented material to children with the intent of luring the children into sexual activity, which was the ostensible purpose of the law.

The decision is available at:

[http://mediacoalition.org/legal/Petro/september\\_24\\_07\\_order.pdf](http://mediacoalition.org/legal/Petro/september_24_07_order.pdf)

Media Coalition is a trade association that defends the First Amendment rights of publishers, booksellers, and librarians, recording, motion picture and video games producers, recording, video, and video game retailers, and motion picture exhibitors in the United States.

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