

# THE MEDIA COALITION INC

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## MEDIA COALITION and RESTRICTIONS ON VIOLENT CONTENT

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Since the school shootings at Columbine High School in 1999, there has been a significant increase in state legislation that attempts to restrict access to material with violent content. Several laws have been approved. However, courts have rejected these laws on the grounds that material with violent content is constitutionally protected.

Media Coalition has defended the dissemination of material with violent themes by either litigating or providing amicus support in the following cases:

- *VSDA v. Schwarzenegger*, 556 F.3d 950 (9<sup>th</sup> Cir. 2009) The Ninth Circuit struck down a California law restricting certain video games for minors and the requirement that those games carry an “18” label.
- *ESA v. Swanson*, 519 F. 3d 768 (8<sup>th</sup> Cir. 2007) The Eighth Circuit ruled that Minnesota could neither bar video games with violent themes for minors nor enforce the video game industry’s ratings system or require retailers to post signs with the rating restrictions.
- *ESA v. Blagojevich*, 469 F.3d 641 (7<sup>th</sup> Cir. 2006) The Seventh Circuit found a ban on video games with violent (or some sexual) content was unconstitutional. They also voided the requirement that games carry an “18” label.
- *ABFFE v. Petro*, 233 F. Supp. 2d 932 (S.D. Ohio, W. Div. 2002) U.S. District Court Judge Rice barred enforcement of a statute that defined “harmful to juveniles” material as including depictions or descriptions of violence.
- *Video Software Dealers Ass’n v. Maleng*, 325 F. Supp. 2d 1180 (W.D. Wash. 2004) The U.S. District Court enjoined a law that prohibited the rental or sale to a minor of video games containing depictions of violence against law enforcement officers.
- *IDSA v. St. Louis County*, 329 F 3d 954 (8<sup>th</sup> Cir. 2003) The Eighth Circuit ordered a U.S. District Court Judge to bar enforcement of a county ordinance banning the sale, rental and “free play” for minors of any video game with violent content.
- *AAMA et al. v. Kendrick et al.*, 244 F .3d 572 (7<sup>th</sup> Cir. 2001) The Seventh Circuit sent the case back to the trial court to block enforcement of an Indianapolis ordinance which barred the display and operation of arcade games with violent or sexual content. The definition of “harmful to minors” in the city’s general ordinance had also been broadened to include material that depicts graphic violence.

Much of the recent legislation stems from claims that exposure to violent content in media causes violent behavior. Media Coalition has worked to counter these assertions by surveying social science research in its publication, *Shooting the Messenger: Why Censorship Won’t Stop Violence*. Also, Media Coalition coordinated amicus brief filings by social scientists in both *AAMA et al. v. Kendrick et al.* and *IDSA v. St. Louis County* to address research that claims that media with violent content causes actual violence.

The 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 consumers in the United States.