

Column from Sen. Matt Bartle for  
week of February 28, 2005

### **Smut Shop Restriction Bill is Debated in the Senate**

It isn't getting any easier to raise a family these days. Our kids are repeatedly subjected to influences and pressures that my generation didn't face, at least not to the same degree. As we progress as a society in technology, science and medicine, sadly, we see a continuing coarsening in our culture. The age of innocence that kids used to enjoy continues to shrink as they are exposed to the world of drugs, illicit sex and violence at ever earlier ages. Long before they are mature enough to understand, they are brought face to face with these unpleasant realities of society.

One of the most detrimental influences on kids (not to mention the rest of society) is the pornography industry. I'm sure you've noticed, as I have, the steady growth of this seedy industry across the State of Missouri as smut shops in little metal buildings with gaudy signs continue to sprout up along our major highways, in our city centers and around otherwise quiet communities. Hiding behind the banner of "free speech" these purveyors of porn who care only for padding their pockets continue their encroachment with no regard for trail of harmful effects and exploitation they bring. It is no secret that these smut shops are a blight to local communities. Many studies from all across the nation have documented this relationship. Property values have been shown to decrease and crime has increased.

Many times decent law-abiding citizens are intimidated by the lofty sounding legal arguments of the porn industry's lawyers and outspoken defenders. Whenever anyone proposes to regulate these businesses to shield our communities from their harmful effects we hear cries that we are violating their constitutional rights. In reality, there is much that can legally be done.

Last year I passed a bill to ban these businesses from posting billboards along state highways. Last month, a federal court upheld the constitutionality of this law. This session I have filed a bill that would require that smut shops close at midnight and on holidays. Time and time again federal appeals courts have upheld this type of restriction. The bill also bans full nudity inside these "adult cabarets." On at least two occasions the U.S. Supreme Court has upheld laws banning full nudity. The bill also requires that a reasonable distance be placed between performers and patrons. This type of regulation has also been upheld by the courts.

Last week the Senate took this bill (SB 32) up for debate. I am hopeful that in the near future we will finish work on this bill and pass it. The governor has already indicated that he will sign it into law.

Our communities did not ask for a fight with the pornography industry. It is the pornography industry that continues its aggressive expansion with no regard for the

erosion of societal values it inevitably brings. In response to this assault we will respond with effective and meaningful regulation of this industry that refuses to police itself. The courts have repeatedly stated that laws can be passed that do not offend the First Amendment and it is time for the Missouri legislature to do just that.

If you have comments or questions about this week's column or any other matter involving state government, please do not hesitate to contact me. You can reach my office by e-mail at [matt\\_bartle@senate.state.mo.us](mailto:matt_bartle@senate.state.mo.us) or by phone at (888) 711-9278.

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