

FLORIDA FAMILY ASSOCIATION

July
2007

SMUT SPAMMERS CONVICTED, PLEASE URGE PRESIDENT TO PROSECUTE BIG INTERNET PORN SITES

Two men were convicted June 25, 2007 of sending out millions of SPAM e-mail messages that included hardcore pornographic images. Jeffrey A. Kilbride, 41, of Venice, Calif., and James R. Schaffer, 41, of Paradise Valley, Ariz., were convicted on eight counts in U.S. District Court in Phoenix. The men face a maximum of 30 years in prison and fines of up to \$500,000.

The men were charged with conspiracy, fraud, money laundering, and transportation of obscene materials. The trial, which began on June 5, was the first to include charges under the CAN-Spam Act of 2003, according to the Department of Justice. The CAN-Spam Act is designed to crack down on the transmission of pornography in SPAM.

GOVERNOR CRIST VETOED BILL THAT COULD HAVE HURT *FLORIDA* *MARRIAGE PROTECTION AMENDMENT*

The emails from Florida Family Association supporters made a difference!

Florida Governor Charlie Crist VETOED Senate Bill 900 on June 26, 2007. This bill could have seriously jeopardized the success of the Florida Marriage Protection Amendment.

Florida Family Association (FFA) sent out an email on June 19, 2007 reporting that Florida Governor Charlie Crist was considering a bill (SB900) that would severely restrict the petition rights of Florida citizens and create an all out war by petition opponents.

FFA's Action Email Alert encouraged supporters to send emails urging Florida Governor Charlie Crist to

Continued page 3 ... Governor Vetoed Bill

FEDERAL APPEALS COURT GIVES PRO-FAMILY EFFORTS MAJOR VICTORY

The City of Daytona Beach won a major victory at the United States Court of Appeals for the Eleventh Circuit in Atlanta on June 28, 2007. The appeals court upheld the City of Daytona Beach's public nudity and adult business ordinances.

Erotic dancers in adult bars in most parts of the city can no longer perform nude. Additionally, dancers at clubs that sell alcoholic beverages must wear a minimum of a bikini. G-strings and pasties will no longer be lawful at clubs that sell alcoholic beverages. This ruling applies to all cities and counties in Florida, Alabama and Georgia with similar ordinances.

See page 4 ... Appeals Court Upholds

HEWLETT-PACKARD & AVID TECHNOLOGY REJECT HOWARD STERN

Florida Family Association continues to urge companies to stop supporting or sponsoring Howard Stern. We recently received the encouraging words from Hewlett-Packard and Avid Technology that they would no longer be associated with Howard Stern promotions.

Scott Bert, Director of World Wide Media for Hewlett-Packard wrote in his email to us "Thank you for bringing this to our attention. The sponsorship of this type of event is strictly against our media guidelines. We are trying to identify the internal path which led to this breach so that it can be rectified. We have asked that our logo be removed from the site immediately. Thank you again for pointing this out to us."

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PLEASE URGE PRESIDENT BUSH
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"Through their international spamming operation, these defendants made millions of dollars by sending unwanted sexually explicit e-mails to hundreds of thousands of innocent people, including families and children, while simultaneously using sophisticated Internet technology to try to conceal their identity," said Assistant Attorney General Alice S. Fisher. *"This prosecution, the first of its kind under the CAN-Spam Act, demonstrates the Department of Justice's commitment to protect American families from receiving unsolicited SPAM e-mail."*

Florida Family Association (FFA) supporters have sent thousands of emails urging the White House and Attorney General to prosecute obscenity on the internet. FFA is encouraged by the successful prosecution of Jeffrey A. Kilbride and James R. Schaffer.

HOWEVER, the following four points regarding this administration's approach to prosecuting obscenity on the internet is most concerning.

First, the Department of Justice under President George Bush's leadership, waited three years (2001 to 2003) before investigating potential violations of federal obscenity statutes involving online commerce.

Second, the Kilbride and Schaffer investigation took THREE and a HALF YEARS to bring to fruition. Obscenity prosecutions under George Bush's father were accomplished in about one year.

Third, Assistant Attorney Fisher and the Department of Justice appear to be targeting porn ONLY when it is associated with "unsolicited" SPAM e-mail.

Fourth, the targets of these SPAM investigations did not include ANY large corporations operating in the United States that traffic in HUNDREDS OF MILLIONS of dollars in porn sales, not just millions.

AFTER 2008, IT MAY BE TOO LATE

We do not know who will be president in 2009. We want to encourage you to take a moment to send the enclosed post, write a personal letter or email to urge President George Bush to vigorously prosecute federal obscenity statutes against American internet porn companies. Our window of opportunity and time line is closing as we approach the November 2008 election.

As usual the summer months are slower than others for gifts to this ministry.

Please consider helping all of our efforts to be strong by sending a gift in the enclosed envelope. THANK YOU for your support..

Sincerely,

David Caton

Executive Director



DAVID E. CATON
Executive Director
FLORIDA FAMILY ASSOCIATION
P.O. Box 46547
Tampa, FL 33647-0105
Phone 1-813-264-5888

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Florida Family Association's research reported to

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PLEASE URGE PRESIDENT BUSH

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numerous attorneys and agents with the United States Department of Justice that ONLY 20 COMPANIES in the United States are responsible for more than 70 % of the UNRESTRICTED pornography that can easily be accessed by millions "of innocent people, including families and children."

The Department of Justice can certainly do more to significantly reduce porn traffic on the internet if ONLY 20 COMPANIES are responsible for 70 % of the smut there.

George H.W. Bush, the current president's father, with Patrick Trueman at the helm of the Department of Justice's Child Exploitation and Obscenity Enforcement Unit prosecuted and shut down more distributors of hardcore pornography in American from 1988 to 1992 than did ALL of the former presidents of the United States COMBINED.

President George Bush and Attorney General Alberto Gonzalez can do much more than prosecute a few spammers that make a couple of million dollars. They can go after the 20 COMPANIES in the United States that make HUNDREDS OF MILLIONS of dollars from polluting the internet with obscenity.

Pornography, especially online obscenity, is a major scourge on our society. The impact that it is having on millions of families and the lives of millions of young and older men is devastating.

PLEASE SEND THE ENCLOSED POSTCARD, WRITE A PERSONAL LETTER OR EMAIL to urge President George Bush to vigorously prosecute federal obscenity statutes against internet porn companies.

**President George W. Bush
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500-0001**

GOVERNOR VETOED BILL

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veto SB 900. Thanks in part to the strong response to FFA's Email Alert and the efforts of other pro-family groups, Governor Crist vetoed SB 900.

SB 900 would have prohibited a supervisor of election from verifying a petition signature if the petition was received more than thirty days after the date the citizen signed the petition. This would have placed an incredible burden on grassroots organizations that use volunteers who collect petitions over time. Petition signatures are good for up to 1,460 days or 4 years under current law. The legislature wanted to reduce the life of a petition by Ninety Eight percent (98%) from 1,460 days to 30 days.

Additionally, SB 900 required supervisors of election to provide forms to voters to revoke and remove their names as a petition signer for one hundred twenty days after the date their petition was verified. This meant opponents of an amendment would have had up to one hundred twenty days to harass and threaten people who signed a petition.

Proponents of same-sex marriage have already shown they would abuse this provision by harassing citizens who sign petitions. They set up a web site that lists the names of people who have signed the Florida Marriage Protection Amendment. These same-sex marriage advocates encouraged people to look up their neighbors on this web site and harass them if they signed the petition. This provision will cause all out war on citizens who sign petitions.

Senate Bill 900 would have grossly broadened the powers of the Florida Legislature that has no limit on how long they take to approve an amendment resolution. Additionally, it would have given greater political power to business interests who have the funds, unlike grassroots organizations, to pay professional circulators to meet the thirty day deadline.

Thanks to everyone who sent emails to Governor Crist. Your emails made a difference. And **THANK YOU GOVERNOR CRIST.**

APPEALS COURT UPHOLDS ADULT BUSINESS LAWS

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A federal district court judge had previously ruled that Daytona Beach's public nudity ordinance was unconstitutional. If this ruling had been upheld by the appellate court it would have reversed over fifteen years of efforts by Florida Family Association that influenced dozens of Florida cities and counties to enact public nudity and adult zoning laws. Thankfully, the appellate court reversed the district court judge's ruling and upheld the public nudity ordinance as constitutional.

This ruling is a major victory for Florida Family Association whose interests were represented by the Alliance Defense Fund (ADF) before the appellate court. ADF filed an Amicus Brief on behalf of Florida Family Association and other pro-family organizations. Florida Family Association deeply appreciates the Alliance Defense Fund's representation of Florida Family Association before the United States Court of Appeals for the Eleventh Circuit.

Additionally, Scott Bergthold of Adult Business Law did an outstanding job of representing the City of Daytona Beach before the court of appeals. Scott Bergthold is the most experienced and successful attorney in America on the pro-family side of the battle against the adult business industry. Mr. Bergthold wrote legislation for Hillsborough County, Manatee County, State of Ohio and numerous other municipalities.

Florida Family Association, Inc. developed empirical evidence, lobbied for and played a key role in the enactment of St. Johns County Public Nudity Ordinance (92-12). Florida Family Association provided similar assistance to and lobbied forty-five counties and cities to enact adult entertainment ordinances and public nudity ordinances during the past eighteen years. The counties include: Alachua, Bay, Brevard, Broward, Clay, Charlotte, Citrus, Cape Coral, Collier, Columbia, Duval, Escambia, Hernando, Lee, Leon, Levy, Manatee, Marion, Miami-Dade, Nassau, Orange, Palm Beach, Pinellas, Polk, Sarasota, Saint Johns, Saint Lucie, Seminole, Suwannee. The cities include: Bartow, DeLand, Deltona, Fort Lauderdale, Fort Myers, Gainesville, Haines City, Lakeland, Melbourne, Orlando, Port St. Lucie, Miami, Naples, Tallahassee,

Vero Beach and Winter Haven.

Florida Family Association, Inc. and thousands of supporters had a strong interest in the Eleventh U.S. Circuit Court of Appeal's ruling in "The Daytona Grand, Inc. dba Lollipop's Gentlemen's Club and Miles Weiss vs. the City of Daytona Beach." Thanks to the outstanding legal skills of Scott Bergthold and the legal representation of the Alliance Defense Fund the appellate court gave pro-family organizations across the country a major victory.

To read the United States Court of Appeals for the Eleventh Circuit's ruling please go to: [http://www.floridafamily.org/newsletters/11th_Circuit_opinion_\(6-28-07\).pdf](http://www.floridafamily.org/newsletters/11th_Circuit_opinion_(6-28-07).pdf)

EFFORT CONTINUES TO OPPOSE HOWARD STERN'S SMUT RADIO

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Greg Estes with Avid Technology wrote in his email to us "*We are not a current sponsor and we do not intend to invest in such sponsorship in the future.*"

Additionally, Florida Family Association continues to urge the Federal Communications Commission to require satellite radio, where Howard Stern is currently heard, to follow the same decency restrictions as terrestrial radio.

One of the reasons why FFA is doing this is not as obvious as the general need for decency regulations. Florida Family Association wants to keep the issue of the highly explicit content of Howard Stern before the Federal Communications Commission in the event the satellite radio merger fails or Stern otherwise decides he to return to terrestrial radio.

FFA's efforts over the past ten years helped Howard Stern and his distributor to make decisions that removed him from terrestrial radio where everyone could hear his filth. We want to keep pressure on the cork that put him there.