

1999 SENATE HUMAN SERVICES

SB 2384

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2384

Senate Human Services Committee

Conference Committee

Hearing Date FEBRUARY 8, 1999

Tape Number	Side A	Side B	Meter #
1	X		
2/8/99 2	X		3,020
Committee Clerk Signature <i>Carol Holodziejchuk</i>			

Minutes:

The committee was called to order and roll call taken. Students from ST. Mary's, Hazen, Century, Dakota Prairie and Park River were acknowledged.

SENATOR REDLIN, sponsor introduced the bill. We live in a sound society to raise children. Society has right to draw lines. Marketing to minors some despicable material.

REPRESENTATIVE TOLLEFSON, sponsor, supports the bill. It would allow all municipalities to restrict music, lyrics from being sold to minors. Recommends a do pass.

JANET WENTZ, sponsor, supports bill. It is a serious problem. SENATOR DEMERS asked if the Minot City Council had asked for the bill. MS. WENTZ said they support it.

RAYMOND KUNZ, citizen, supports bill with written testimony. His son committed suicide and this kind of music was involved. SENATOR DEMERS asked if this music is played on the

radio. MR. KUNZ replied that seven 'magic' words will be fuzzed out. New Town's station will play it in late night show.

MR. KLEINFELTER, father of 7 children, supports bill. This is the right thing to do.

ROSE STOLLER, Exe. Director of Mental Health Dept., supports bill. The potential of this music is to put children over the edge. This is important issue.

VERLE RENNICKE, pastor ELCA, supports bill. He was the pastor at the funeral for Richard Kunz. In another suicide - both were listening to this music. Free speech in public and popular parlors means anything is allowed. Who protects; what recourse do we have? Luther defined the 8th commandment - Responsibility to speak; what is allowed and what is not allowed. What body of information is available. There is a need to talk about it in communities. Free speech is responsible to discipline. Irresponsible lets go. What recourse do parents have? SENATOR LEE commented that Party Girl, a song of a few years ago was suggestive; now it is tame as is The Moon is Blue.

MARK LAMURIE, Public Service Task Force, supports bill. Music keeps showing up at death scene 35% of time. Suicide is second leading cause of death; the first is auto accidents.

CHRIS DODSON, ND Catholic Conference, supports bill. Society has responsibility as far as audio is concerned. There definitely is a generation difference. Is there a line that should not be crossed? SENATOR DEMERS asked what the definition of minor was. MR. DODSON replied 18 years of age. SENATOR DEMERS asked what was meant by morbid violence. MR. DODSON answered that he didn't know if the language was overly broad or vague. Place and time you can provide restrictions.

Opposition to SB2384

THOMAS SMITH opposes bill in written testimony. SENATOR LEE: Couldn't we do something comparable to movie standards? MR. SMITH answered that that was a voluntary thing decided in the movie industry. There is a sticker that is put on the outer covering of CD SENATOR DEMERS asked about the violence. MR. SMITH replied that violence not encompassed in all cases. Violence is solely protected by the 1st Amendment. SENATOR FISCHER: Is the warning after the fact of purchases? MR. SMITH: Yes. There are stickers on the album but can easily be peeled off.

ERIC SAKARIASSEN, citizen, opposes bill. His best friend committed suicide. Language is too broad and vague. It would be a challenge to read all literature if this restrictive legislation passes. The burden of censorship is put on businessmen. (written testimony).

JEFF COOPER questioned the bill by asking if this should happen how are teenagers going to purchase this; with oral, written consent or the parent actually being present. The discussion continued that what is meant by serious must be made clear in legislation.

BJORN HALL, student from Park River, stated that the definition of offensive may not be the same to all people. He values the right to choose. SENATOR DEMERS asked how old he was. Mr. HALL responded that he was a legal adult, age 18 and a senior in high school.

JACK MCDONALD, ND Newspaper Assoc., opposed bill (written testimony). SENATOR THANE: Do you believe that in this generation, parents, churches, schools have enough contact to prevent children seeing and hearing this sort of thing. MR. MCDONALD replied that parents have control if they want to exercise it. SENATOR KILZER: Do most clients restrict what they put on shelf or everything that goes on shelf for sale? MR. McDONALD said that they do look at it. He did not think its a problem in our state. SENATOR KILZER: ND has twice the

teenage suicides as the national average. Do they have to put everything on the shelf? MR.

McDonald replied that they had the right to look.

JESSICA OLSON, 16 year old junior, opposes the bill. She stated that the more you prohibit the

teenagers, the more they will try to do it. SENATOR LEE: How do you see the objection of

music against suicide? MISS OLSON: Emotions affect it; not music. SENATOR THANE:

Have you ever had a friend that contemplated suicide? MISS OLSON: Yes, I have had a

situation like that. Music was not a contributing factor.

RAYMOND KUNZ, PTA, expressed a desire to explore more in this new territory. Maybe

revising the language so that it is constitutional is one thing they have to look at. SENATOR

DEMERS: Why hasn't the Federal government taken this on? MR. KUNZ answered the Feds

started in the 80's; it resulted in Parental Advisory Program. The Motion Picture Industry pays a

fee to trust fund. The movie ratings are purely voluntary. Recording ratings are not required nor

have they volunteered. The REA needs to put money where mouth is!!!

The hearing was closed on SB2320.

Discussion resumed on 2/8/99. Sympathy felt but 1st Amendment of Constitution prevails.

If cities pass an ordinance of this type, and there was a suicide and a parent decided to sue the

city for not having enforced the ordinance they would have a major liability issue. SENATOR

LEE moved a DO NOT PASS. Seconded by SENATOR DEMERS . Discussion reiterated. It

would be difficult to enforce. We can't legislate parenting. That is a responsibility all its own.

Roll call vote carried 6-0-0. SENATOR MUTZENBERGER will carry the bill.

Date: 2/8/99
Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2384

Senate HUMAN SERVICES COMMITTEE Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By Sen Lee Seconded By Sen DeMers

Senators	Yes	No	Senators	Yes	No
Senator Thane	✓				
Senator Kilzer	✓				
Senator Fischer	✓				
Senator Lee	✓				
Senator DeMers	✓				
Senator Mutzenberger	✓				

Total 6 (yes) 0 (no)

Absent 0

Floor Assignment Sen Mutzenberger

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
February 9, 1999 7:17 a.m.

Module No: SR-26-2250
Carrier: Mutzenberger
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2384: Human Services Committee (Sen. Thane, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2384 was placed on the Eleventh order on the calendar.

1999 TESTIMONY

SB 2384

February 8, 1999

SENATE HUMAN SERVICES COMMITTEE
SB 2384

CHAIRMAN THANE AND COMMITTEE MEMBERS:

My name is Jack McDonald. I'm appearing here today on behalf of the SAKS News Agency, the ND Newspaper Association and the ND Broadcasters Association. Despite the fine and distinguished list of sponsors, we have to oppose **SB 2384**.

While we fully understand the reasons for this bill, nevertheless the bill seems to be a solution seeking a problem. Our groups pay close attention to these issues, and there just doesn't seem to be such a huge problem regarding these items that would warrant what is clearly unconstitutional legislation.

You already have documentation listing the court cases across the county, in state and federal courts, that have held these types of laws unconstitutional. I won't repeat those. This bill will just submit the state and cities to needless and expensive litigation.

The bill is full of language that is not clear. What glamorizes violence? What encourages suicide or religious violence? Is it the theme song from "Mash?" Is it a song that makes fun of going to church? What's morbid interest? What's shameful interest?

We respectfully request a DO NOT PASS. Thank you for your time and consideration. I'll be happy to answer any questions if I can.

INTRODUCTION

MISTER CHAIRMAN AND MEMBERS OF THE SENATE HUMAN SERVICES
COMMITTEE

THANK YOU VERY MUCH FOR HEARING US AT THIS TIME.

FOR THE RECORD MY NAME IS RAYMOND KUNTZ AND I AM A RESIDENT
OF BURLINGTON NORTH DAKOTA

I AM HERE REPRESENTING THE MINOT PARENT TEACHERS
ASSOCIATION COUNCIL AND THE NORTH DAKOTA PARENT TEACHERS
ASSOCIATION.

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE

WHILE WRITTEN MATERIALS ARE BEING HANDED OUT WE WOULD
TEMPORARILY ADDRESS YOUR ATTENTION TO THE DISPLAYS ON THE
TRIPOD.

FIRST HOWEVER AS SOME OF THIS MATERIAL IS QUITE SEXUALLY
EXPLICIT AND VIOLENTLY EXPLICIT IN NATURE AN APOLOGY IS IN
ORDER, PARTICULARLY IF THERE ARE ANY CHILDREN PRESENT.

ACTUALLY WE'RE DOUBLY SORRY, FOR EVEN THOUGH WE FIND THIS
MATERIAL INAPPROPRIATE EVEN FOR ADULT CIRCLES, OUR CHILDREN
ALREADY HAVE THIS STUFF IN THEIR MUSIC COLLECTIONS.

THEY ARE LISTENING TO IT AS WE SPEAK, AT THIS MINUTE, ON THEIR HEADPHONES AND BOOMBOXES IN THEIR CARS AND THEIR BEDROOMS, IN AND OUT OF OUR PRESENCE, AND LIKELY WE BOUGHT IT FOR THEM.

THE FIRST POSTER IS ALBUM ART FROM THE MARILYN MANSON CD "SMELLS LIKE CHILDREN" RECORDED DURING THEIR PEDOPHILE STAGE SERVES AS A SORT OF INTRODUCTION TO SOME OF THE PARTIES INVOLVED.

MARILYN MANSON IS THE STAGE NAME FOR A MAN NAMED BRIAN WARNER AND HIS BAND, EVERYBODY IN HIS BAND TAKES A TWO PART STAGE NAME. THE FIRST PART DERIVED FROM THAT OF A FEMALE CELEBRITY AND THE SECOND PART FROM A MALE MASS MURDERER. SO WE HAVE RESPECTIVELY "MARILYN MASON" AS IN MARILYN MONROE FEMALE CELEBRITY WHO COMMITTED SUICIDE AND CHARLES MANSON MALE MASS MURDERER, ACCOMPANIED BY TWIGGY RAMIREZ, MADONNA WAYNE GACY, DAISY BERKOWITZ AND ONE GINGER FISH ON DRUMS.

THE SECOND IS ALSO ALBUM ART FROM MARILYN MANSON THIS TIME FROM THEIR CD "ANTICHRIST SUPERSTAR"

NOTE: THIS PARTICULAR CD ENTERED BILLBOARD MAGAZINES TOP 100 CHART AT # 3, WE'LL BE COMING BACK TO IT LATTER.

THE HANDOUTS CONSIST OF

- ✓1) A POSITION STATEMENT THE MINOT PTA COUNCIL
- ✓2) A SUPPORTING STATEMENT FROM THE NORTH DAKOTA PTA
- ✓3) A LETTER SENT TO US SENATOR DORGAN, RELEASED TO US BY HIS OFFICE
- ✓4) THE TESTIMONY BY BARRY BRATT GIVEN TO A CALIFORNIA LEGISLATIVE COMMITTEE
- ✓5) A COPY OF A TENTH GRADE ENGLISH PAPER FOUND BESIDE THE BODY OF RICHARD KUNTZ ON .DECEMBER 12TH, 1996.
- ✓6) LYRICS FROM THE MARILYN MANSON CD "ANTICHRIST SUPERSTAR"
- ✓7) THE TESTIMONY OF DEBBIE PELLEY AN ELEMENTARY SCHOOL TEACHER FROM JONOSBORO, ARKANSAS GIVEN TO THE US SENATE COMMERCE COMMITTEE, JUNE 18TH, 1998.
- ✓8) A CONGRESSIONAL RESEARCH SERVICE REPORT FOR CONGRESS PREPARED BY THE LIBRARY OF CONGRESS TITLED "REGULATING RECORD LYRICS; A CONSTITUTIONAL ANALYSIS"

THE PTA'S OF NORTH DAKOTA WISH TO CLEARLY STATE THAT THEY HAVE BEEN INVOLVED IN THIS DEBATE ON A NATIONAL LEVEL FOR OVER A DECADE AND FEEL THAT IT IS TIME TO DO SOMETHING CONCRETE LOCALLY, ABOUT THE HARMFUL EFFECT OF THIS KIND OF MUSIC IS HAVING ON OUR CHILDREN

THE LETTER TO SENATOR DORGAN SERVES AS AN INTRODUCTION TO THE NATURE OF THE PROBLEM WE ARE ADDRESSING TODAY. IT CONTAINS LYRICS FROM THE GRAMMY AWARD WINNING GROUP "NINE INCH NAILS"

WE RECEIVED THIS FROM THE SENATORS OFFICE AS YOU SEE IT WITH THE SENDERS NAME WHITED OUT, FOR WHAT WE BELIEVE ARE OBVIOUS PRIVACY CONCERNS. WE HAVE CLEARED THE RELEASE OF THIS LETTER THROUGH THE SENATORS OFFICE WITH THE AUTHORS, MR. & MRS. DON ANDERSON OF CROSBY.

BARRY BRATT IS A FELLOW SURVIVOR OF SUICIDE AND HIS TESTIMONY BRINGS HOME THE FACT THAT WHAT EVER MORAL OR POLITICAL JUDGMENT ONE MIGHT MAKE ABOUT "EXPLICIT CONTENT" THERE IS A PRICE TO BE PAID BY FAMILIES AND SOCIETY FOR CONTINUED TOLERANCE OF LYRICS AND PHILOSOPHIES MARKETED SPECIFICALLY AT CHILDREN, THAT ARE PATHOLOGICAL .

ADOLESCENT SUICIDE IS A PROBLEM THAT HAS BEEN WITH US FOR AS LONG AS WE HAVE HISTORY. BUT, IN THE LAST 30 YEARS IN THE U.S. THE RATE HAS INCREASED DRAMATICALLY ALMOST TRIPLING. THE RATE FOR WHITE BOYS IS NOW FIVE TIMES AS GREAT AS THAT OF WHITE GIRLS. WHILE THE RATE FOR WHITE GIRLS IS EQUIVALENT TO THAT FOR BLACK BOYS AND GIRLS.

EXPERTS IN THE FIELD LIKE TO USE A MEDICAL MODEL (I.E. DEPRESSION) TO EXPLAIN SUICIDE. HOWEVER IF THE SUICIDE RATE FOR BOYS EXCEEDS THAT FOR WHITE GIRLS BY 500% WHOSE SUICIDE RATE EQUALS THE SUICIDE RATE FOR BLACK BOYS WHOSE SUICIDE RATE EQUALS THAT OF BLACK GIRLS AND ALL OF THEM HAVE BEEN RISING IN RECENT YEARS THAT IS AN INDICATION THAT SOME KIND OF CHANGING "CULTURAL" FACTORS ARE PLAYING A PROMINENT ROLE IN UNHAPPY DEPRESSED ADOLESCENT DECISION MAKING.

ON THE EVENING OF JAN 9, AS I WAS TALKING WITH REPRESENTATIVE BEN TOLLEFSON ON THE PHONE ABOUT THIS BILL AND ITS CHANCES MY WIFE TOLD ME THAT I HAD A CALL ON THE OTHER LINE THAT I HAD TO TAKE. IT WAS FROM A FATHER WHOSE 15 YEAR OLD SON HAD RECENTLY KILLED HIMSELF HAD CALLED NEEDING TO TALK. THIS MAN'S SON'S FAVORITE MUSIC WAS MUCH LIKE THAT OF MY SON WHO ALSO KILLED HIMSELF. MARILYN MANSON, PANTERA AND RAGE AGAINST THE MACHINE. LEWIS JOSEPH MAYER WAS LISTENING TO A SONG CALLED "BULLET IN THE HEAD" WHEN HE KILLED HIMSELF.

COINCIDENTALLY THE NEXT MORNING I SHOOK AN INSERT ONTO THE FLOOR, FROM "GMB" THE MAIL-ORDER RECORD RETAILER THAT MY SON BOUGHT HIS MUSIC FROM, OUT OF THE MINOT DAILY NEWS

MY SON RICHARD WAS LISTENING TO THE "REFLECTING GOD" FROM MARILYN MANSON'S "ANTICHRIST SUPERSTAR" CD WHEN HE KILLED HIMSELF.

LAST TUESDAY AFTER THE MINOT CITY COUNCIL VOTED ON THE RESOLUTION OF SUPPORT PROVIDED TO YOU, A MAN I'VE KNOWN FOR YEARS TOLD ME AFTER I ASKED IF WHAT WE WERE DOING WAS PROPER THAT 15 YEARS AGO HE WAS THE LAST ONE TO SEE HIS BEST FRIEND ALIVE AN HOUR BEFORE HE TO KILLED HIMSELF, DALE TOLD ME THAT MUSIC BY A GROUP CALLED "JUDAS PRIEST" WAS INVOLVED THEN.

AS NEAR AS I CAN TELL FROM PERSONAL CONTACT WITH SURVIVING PARENTS, GRAND PARENTS AND SIBLINGS, MARILYN MANSON MUSIC ALONE HAS BEEN INVOLVED IN THE DEATH OF ONE CHILD NATIONWIDE EVERY MONTH FOR THE PAST THREE YEARS AND AS A SINGLE INDIVIDUAL MY AWARENESS IS OBVIOUSLY QUITE LIMITED.

Project 1996 #5
I GRANT THAT THIS MUSIC ALONE WAS NOT THE SOLE CAUSE OF MY SONS DEATH. BUT EVEN IF IT'S ONLY 5 TO 15% OF THE REASON, THIS KIND OF MUSIC IS AN EXTERNAL ENVIRONMENTAL INFLUENCE THAT WE CAN DO SOMETHING ABOUT. PERHAPS IF THIS MUSIC HADN'T BEEN SO READILY AVAILABLE HE'D BEEN ABLE TO CARRY THE LOAD.

THE TESTIMONY OF DEBBIE PELLEY IS IN ITSELF PRETTY MUCH SELF EXPLANATORY.

ADDITIONALLY BARRY BRATT TOLD ME THAT THEY HAD AN EX LA GANGBANGER TESTIFY, AT THE SAME HEARING HE DID, ABOUT SITTING WITH HIS HOMEY'S POLISHING THEIR GUNS IN RHYTHM TO EXPLICIT RAP MUSIC AS THEY GOT READY FOR A DRIVE BY.(SHOOTING)

THE MINOT DAILY NEWS HAS ALSO HAD AT LEAST TWO PIECES IN THE LAST YEAR ABOUT THE INFATUATION OF YOUTHFUL SCHOOLYARD KILLERS WITH THE MUSIC OF MARILYN MANSON, ONE IN PENNSYLVANIA THE OTHER IN BURLINGTON, WISC.

SENATORS THIS KIND OF MUSIC GOES BEYOND "YELLING FIRE IN A CROWDED THEATER" THIS MUSIC IS THE EQUIVALENT OF THROWING GASOLINE ON A FIRE. AND WE NEED TO DO SOMETHING ABOUT IT.

SENATE BILL 2384 HOWEVER IMPERFECT IS AN ATTEMPT TO REGULATE THE EXPOSURE OF CHILDREN TO HARMFUL MATERIALS AND WE URGE A DO PASS OUT OF THIS COMMITTEE.

WHEN YOU VOTE LOOK AT THE COVER ART ON THE "ANTICHRIST SUPERSTAR" CD AND UNDERSTAND THAT THAT IS WHAT THESE PEOPLE THINK OF YOU AND YOURS.

As parents we wish to regain a degree of control regarding the values our children learn through popular culture.

POSSIBLE QUESTIONS THAT MAY BE ASKED

1) CONSTITUTIONALITY ISSUES

2) RESPONSIBILITY OF INDUSTRY

I'd like to respond with direct quotes from Hilary Rosen, RIAA President and CEO from the press release that accompanied her November 6th 1997 testimony before the Senate Subcommittee hearing on "Music Violence: How Does it affect Our Youth? An Examination of the Impact of Violent Music Lyrics on Youth Behavior and Well-Being in the District of Columbia and Across the Nation."

Hilary Rosen

"The fact is there's some music that isn't right for kids, and parents ought to know it, and that is why we put labels on recordings with explicit lyrics."

And more.

"I hope that what comes out of today's hearing is not just publicity, but a plan... not just fear, but foresight... not just hysteria but hope.. not just slander, but solutions."

Culture is not something that just happens. The purpose of the creative process, the expressions, beliefs, institutions and behaviors that constitute Culture are to provide continuity of the community in which we live. Culture is real, it exists, it transmits ideas and values from person to person and generation to generation, the intent of culture is to effect people.

3) RESPONSIBILITY OF PARENTS

Though parents finance it, there is a very real disconnect between nature of adolescent popular culture and parental awareness and knowledge of it.

WE ARE ATTEMPTING TO RETURN TO PARENTS SOME of the responsibility for a child's listening habits and a degree of control regarding the cultural values our children learn, to the hands of parents.

NO PARENT WILL RAISE A CHILD THAT IS WELL ADAPTED TO ADULT LIFE BY COMPLETELY ISOLATING THAT CHILD FROM THE SOCIETY THEY ARE GOING TO HAVE TO LIVE AND WORK IN. YOU HAVE TO LET THEM GROW IF THEY ARE TO PROSPER RAISING A CHILD IN A BUBBLE DOESN'T WORK.

ALL OF US PARENTS, TEACHERS, CLERGY, POLITICIANS, LAW ENFORCEMENT, BUSINESSMEN AND ENTERTAINERS IMPACT OTHER PEOPLES CHILDREN AS WELL AS OUR OWN AND IT IS OUR RESPONSIBILITY TO ACT RESPONSIBLY AS INDIVIDUALS AND AS A COMMUNITY.

As parents we wish to regain a degree of control regarding the values our children learn through popular culture.

COMMENTS ABOUT THIS BEING A RERUN OF THE TRADITIONAL INTERGENERATIONAL CONFLICT.

MAY I EXERCISE MY FIRST AMENDMENT RIGHT TO FREE SPEECH AT THIS POINT? CRAP

Unlike the previous intergenerational cultural conflicts, like that some of the "Baby Boomers" had with their parents for instance, over music that promoted peace, love, sex and drugs.

The intergenerational conflict the "Baby Boomers" are having with some of their children, is qualitatively different, it is about music that glorifies and promotes murder, suicide, torture, selfmutilation, drugs and rape.

Folks this isn't just not so innocent fun, it isn't even Rock n Roll we're talking about, this stuff is Death Music. In fact, the music industry even has a name for it that recognizes that reality. Within the industry, one genre of particularly nasty stuff, is called Death Metal.

Retailers rebuff most attempts to return previously purchased materials with statements about the artists "Copyrights" the "Royalty" payments due them, refusing to accept materials that have been opened. So just how is a parent supposed to open a sealed package, "read the lyrics" in the liner notes or sans legible accurate written lyrics, listen to the CD or Tape in an attempt to pull comprehensible language out of music with unfamiliar melody's and rhythms and then return it, if the retailers hands are tied by "Copyright" and Royalty concerns?

Another serious problem is the retailers' current lack of clear legal authority to ask anyone about their age, as a precondition of making a sale.

This last point makes the Industries support, or lack of support of local initiatives, like that in my home town and our state, a litmus test. A test of whether or not the RIAA means what it says or is simply having it's mouth pieces spout politically correct verbiage.

Specifically the Minot, North Dakota PTA Council, is spearheading a community effort to get the city of Minot to adopt an ordinance that requires that Music bearing the RIAA's "Parental Advisory Logo" be purchased by adults only.* We are doing this because our community standards parallel those of the RIAA, which characterize of some of this material as being unsuitable for children, and wish second their support of retailers efforts to restrict sales of these recordings to minors.

*The Minot PTA Council position statement, on this ordinance is enclosed.

Again a series of quotes from the November 6th, 1997 testimony of the President and CEO of the RIAA.

"We also support retailers who refuse to sell to these recordings to minors."

"But that's not all. We support efforts to have retailers restrict sales of albums to consumers under the age of 17."

"Give parents information? We agree."

"Don't sell to minors? We agree."

Ordinances and legislation like ours Honor the intent of the RIAA's "Parental Advisory Program", concur with the judgment of the producers themselves about the potentially Adult nature of Labeled Material, give the Record Retailers the legal authority to implement the Corporate Policies many already have in place, return some of the responsibility for a child's listening habits and a degree of control regarding the cultural values our children learn, to the hands of parents .

I close with a repeat of Hilary Rosen, RIAA President and CEO's comments, used in my opening and a question.

Hilary Rosen

"I hope that what comes out of today's hearing is not just publicity, but a plan... not just fear, but foresight... not just hysteria but hope.. not just slander, but solutions."

Within the dominate culture there are always "sub" or "counter" cultures competing for continued existence, recognition and dominance. When the apologists for a sub or counter culture say that "their culture" has no effect on others they are either ignorant, do not truly believe in "their culture" or they lie.

When members of our entertainment culture "celebrate" their achievements, with nationally broadcast award ceremony's and awards, while simultaneously denying that their culture has any effect on society, they lie.

In 1985, the RIAA reached an agreement with the National Parent Teacher Association and the Parents Music Resource Center under which record companies would voluntarily identify and label newly released sound records that may contain strong language or expressions of violence, sex or substance abuse.

In the time that has elapsed since the RIAA first developed their "Parental Advisory Program" the music that was problematic in the first place has gotten worse by whole orders of magnitude. The "Parental Advisory Program" currently in use as the result of that agreement is so weak that it is not "ironic" in Hillary Rosen's words, that the specific albums attacked at the November 6th Subcommittee Hearing on Violent Music's Impact on Children had been affixed with the "Parental Advisory" Logo.

The fact is that 75% and more of the new releases in Heavy Metal and Rap genres, which are marketed primarily to children, bear a "Parental Advisory" logo, because portions of the Recording Industry are using the RIAA "Parental Advisory" logo as a promotional tool, in complete violation of the industries stated intent of limiting access of minors to material that is sexually explicit and/or violently explicit in nature.

We've waited a generation for results. It is time to challenge the RIAA to effectively implement their existing program. Or if the RIAA is unable to respond, ask the Record Retailers to unilaterally implement their own rules or do so ourselves.

Perhaps the RIAA would open it's books and share with the committee details of the consumer awareness program that it says it is using to educate parents about its "Parental Advisory Program". The RIAA says it has a program in place, but it appears as though they need to take action to effectively implement that program.

Like the alcohol industry the music industry should support efforts by local organizations to limit access by minors to materials that are in the judgment of the producers themselves identified as needful of parental involvement.

Among many changes to the RIAA "Parental Advisory Program", that could be implemented, the following stand out.

- 1) Financially and organizationally restructure the Parental Advisory Program using the institutions developed by the movie industry as a model. The lyrical content of music is no more subjective than the visual imagery and special effects of motion pictures and annually there are only a few hundred Titles concentrated in Alternative Rock, Heavy Metal, Death Metal and RAP that are sexually explicit and/or violently explicit enough to worry about.
- 2) The Record Retailers Association should adopt rules requiring identification of the rating status of all releases either by the producers or an independent agency as the case may be.
- 3) Standardize the design of the Parental Advisory Logo as to size and location, to cure the incredible shrinking Logo covered by price tag, phenomenon.
- 3.5) Prohibit embellishment of the "Parental Advisory Logo".
- 4) Permanently affix the "Parental Advisory" Logo on the CD, Tape, Record or Video, as well as on the temporary, disposable "permanent" packaging and Color Code the CD, Tape, Record or Video so that a parent can recognize a recordings status from across the room. As the cellophane wrapping, cardboard slip covers and liner notes of CD's, in particular, are frequently discarded to facilitate handling and storage, without the "permanent packaging" a parent has no way of knowing the record producer's opinion of the material.
- 5) Provide standardized written copy of the lyrics, as recorded, in the store, so parents so that they can more easily make informed decisions governing the listening habits of their children. To avoid "Copyright" and Royalty concerns

after purchase and to provide a backup source of data that a parent can use when a child comes home with something he or she traded or swapped for.

- 6) Publish and distribute a list of all Titles that have the Parental Advisory Logo applied at the retail level and on the Internet, for parental reference.
- 6.5) Publish and distribute a list of all Titles that have had the Parental Advisory Logo applied to the packaging only, so that parents can review their child's current music collection.

Additionally the RIAA or the Record Retailers should:

- a) As the Cable TV Industry has, partner with the National PTA (for example) an organization with 6 Million members, to develop materials and campaigns aimed at educating families to become critical viewers.
- b) Like the Alcohol Industry, support and fund efforts by local organizations, similar to their Designated Driver Programs for instance, to limit access of minors to materials that are in the judgment of the music producers themselves identify as being needful of parental involvement and guidance.

Beyond these suggestions,

if what the RIAA says about it's intentions are true and honorable, what we do to help this program succeed?

Hilary Rosen tells us that we should:

"Read the labels"

O.K.

"If your child comes home with a CD, read the lyrics."

If the lyrics, as recorded on the product, are even there to be read.

And finally, *"Return the CD if you object to it."*

Nice advice, try it once.

Ms. Rosen just what are the industries plans, where is its foresight, what is its hope, what are its solutions. ~~Were you invited to this hearing, did you come, where is your Honor?~~

The question is. Is the music industry honoring it's word and seriously attempting to rectify problems or are they using the parental advisory logo program as a smokescreen so that they can continue to exploit our children for their money.

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Position Statement

Prohibit the sale to minor or sound recording containing explicit lyrics

In 1985, the Recording Industry Association of America (RIAA) reached an agreement with the National Parent Teacher Association (PTA) and the Parents Music Resource Center (PMRC), under which record companies would voluntarily identify and label newly released sound recordings that may have explicit content.

The program basically consists of attaching a warning label to those products which producers themselves deems unsuitable for children under 17 years of age.

Many producers are living up to their end of the agreement and many sales organizations and business honor the intent of the program and refuse to sell these products to children. Some, however, don't, and will sell these products to anyone who has the price asked.

The percentage of products currently carrying the Parental Advisory label is very small, less than one-half of one percent of the products produced annually. This small group of products, however, includes most of what parents have found to be the target of public controversy, either because of its sexually explicit or violently explicit nature.

The Minot City PTA is asking the Minot City Council to enact a city ordinance which would prohibit the sale of products carrying the Parental Advisory warning label to children under the age of 18. The Minot City ordinance will support community parent's wishes, will support the efforts of the RIAA, and will aid in the development of positive life choices by our children.

We believe this will help parents who are concerned about their children, will benefit our community, and will help children grow and mature in a cultural environment which emphasizes and supports positive community values.

Subject: Senate bill

Date: Thu, 28 Jan 1999 13:14:19 -0600 (CST)

From: Tom J Gulya <gulya@badlands.NoDak.edu>

To: kun@ndak.net

CC: Rachael Disrud <rdisrud@state.nd.us>, swenfive@minot.ndak.net, dsiek@fm_net.com

Ray,

The NDPTA would like to express our support for Senate Bill 2336. The NDPTA board recognizes that our foremost duty as parents is to protect our children from anything around them that we perceive as harmful.

We all know how much music can influence us and set the tone and spirit of our moods for the day. When our children are bombarded with hate, loathing, suicide, and violence through their audio recordings it gives us pause. They replay their recordings repeatedly each day of their young lives. It gives us a little more understanding why children have been seen to walk into a schoolyard and start shooting, or why some think that life is hopeless and ask "Why live any longer?"

This Senate Bill would be a great beginning in helping the parents of this great state keep these harmful materials out of the hands of all of our children.

Thank you for helping us help the children.

Sincerely,

Michael Schloesser, president NDPTA Board of Directors

1998

April 6, 1998

Sen. Byron Dorgan
713 Hart Office Building
Washington, D.C. 20510

Dear Senator:

Our 13-year old daughter received a CD from Columbia Record Club this week. The wrapper was unmarked, the CD cassette storage case was unmarked. The jacket for the plastic case had a small "parental advisory" sticker, which could be easily removed.

Let me share some of the music with you:

"Need you, dream you, find you, taste you, fuck you, use you, scar you, break you, lose me, hate me, smash me, erase me."

"He couldn't believe how easy it was. He put the gun into his face, bang! (So much blood for such a tiny little hole). Problems have solutions, a lifetime of fucking things up fixed in one determined flash. Everything's blue in this world, the deepest shade of mushroom blue, all fuzzy, spilling out of my head".

"She spreads herself wide open to let the insects in. She leaves a trail of honey to show me where she's been. She has the blood of reptile just underneath her skin. Seeds from a thousand others drip down from within. Oh my beautiful liar, oh my precious whore, my disease my infection, I am so impure".

"I am a big man, yes I am, and I have a big gun. Got me a big dick and I like to have fun, held against your forehead, it'll make you suck it, maybe I'll put a hole in your head, you know, just for the fuck of it . . . I'm going to come all over you, me and my fucking gun."

There's more, much more. But you get the idea. My questions are these:
Is it legal for a business to send this material to a 13-year old girl?
Is it within postal regulations to mail this material to minors.

Do you know of any way parents can protect their children from this type of smut. We can only pray that you are as offended and disturbed about this as we are. Thank you for any advice you can give us.

SPEECH GIVEN SPRING OF 1998 BY BARRY BRATT TO A CALIFORNIA LEGISLATIVE COMMITTEE HEARING ON THE INVESTMENT OF STATE RETIREMENT FUNDS. BY BARRY BRATT, CAMERON PARK, CA

My son, Ben, was 13 years old when he died. He hung himself in his bedroom while listening to the heavy metal group, The Sex Pistols. At the hospital we found carved in his chest the name, Sid Vicious, the lead singer for the Sex Pistols, and the words "Kill, Kill" on his arm from another heavy metal album. In the El Dorado County Coroner's report, the coroner states that music played a significant role in Ben's suicide. Two days later the coroner's office released a public statement advising parents to become more aware of the music and lyrics that their children are listening to because of the negative aspects of today's more popular music. To say music didn't play a significant part in my son's suicide would be absurd.

Ben was an accomplished guitar player who wanted to learn to play as many songs as possible. He would listen to the music and within minutes, he could play it. One song, "The Irresponsible Hate Anthem" begins with the words, "I am so all-American, I'd see you suicide" and that exactly what this group and many others are doing to our youth. They are not only promoting suicide, but are encouraging the children to use suicide as an escape from the pressures of teenage life. I have a T-shirt from one of Marilyn Manson's concerts. Look at this shirt and ask yourselves whether or not this group is promoting suicide?

Adolescents are going through significant changes in their teens and groups like Marilyn Manson are preying upon them by focusing their music on the areas that most interest our youth. Sex, drugs, violence and death. The record companies are gearing their music towards these four areas to sell their records. Unfortunately, the music and lyrics don't give the teens answers on how to deal with these problems, but instead reinforce the negative aspects of each. Any sensitive child is going to be affected by this music.

The first amendment protects these companies and in so doing has given them the ability to influence and promote their agendas on an unsuspecting public. Most adults, including myself, are completely unaware of what these lyrics say. They degrade women, promote violence, encourage suicide, debase our schools and encourage the use of drugs. I don't think our forefathers were expecting this amendment to be used as an instrument to promote hate and violence.

Our auditory senses are just as receptive as our visual senses, but for some reason the record companies are immune to any control of their lyrics and music. How many cops will be killed from gangster rap and how many children will attempt drugs and suicide before our citizens realize there is a serious problem here? We are allowing these record companies to brainwash our youth. They listen long enough and they begin to believe what these lyrics say. As parents we try to guide our children down the right paths in life, but these companies are sabotaging our efforts and doing it in the guise of music and entertainment.

We have the opportunity here to wake the public and the record companies up. The only thing that will bring about change is a decrease in the earnings of these companies. Why should the State Teacher's Retirement System invest money in companies that encourage the youth to hate school, teachers and the educational process as a whole? Should the Judge's Retirement System invest in record companies that glorify the gangster and violence in our society? These companies need to know that we as a society won't tolerate the promotion of anti-social behavior.

But, why wait until the year 2005 to bring about this change? By divesting our interests in these companies now, the state of California will influence other states to rethink their policies. The record companies need to be sent a strong and forceful message. Withdrawal of all investments by our retirement systems will bring that message into full volume.

I close with the lyrics from just one song from the Marilyn Manson album. Ask yourself if these words are the message we want to send our youth?

"There's not much left to love
Too tired today to hate
I feel the empty
I feel the minute of decay
I'm on my way down now,
I'd like to take you with me
I'm on my way down
The minute that it's born
It begins to die
I'd love to just give in
I'd love to live this lie

I've been to black and back
I've whited out my name
A lack of pain, a lack of hope,
A lack of anything to say
There is no cure for what is killing me
I'm on my way down
I've looked ahead and saw a world that's dead
I guess that I am too
I'm on my way down now,
I'd like to take you with me."

MARILYN MANSON

antichrist superstar

INTD-90086
NOTHING/INTERSCOPE

CYCLE I

THE HEIROPHANT

IRRESPONSIBLE
HATE ANTHEM

1

THE BEAUTIFUL PEOPLE

2

DRIED UP, TIED AND
DEAD TO THE WORLD

3

TOURNIQUET

4

CYCLE II

INAUGURATION
OF THE WORM

LITTLE HORN

5

CRYPTORCHID

6

DEFORMOGRAPHY

7

WORMBOY

8

MISTER SUPERSTAR

9

ANGEL WITH THE
SCABBED WINGS

10

KINDERFELD

11

CYCLE III

DISINTEGRATOR RISING

ANTICHRIST SUPERSTAR

12

1996

13

MINUTE OF DECAY

14

THE REFLECTING GOD

15

MAN THAT YOU FEAR

16



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nothing

ANTICHRIST SUPERSTAR

INTD-90086
HING/INTERSCOPE

marilyn manson

mind

2.

complacent

4. make

heart

1.

response it would be difficult to not wonder what type of values he possesses. The album he was referring to "Antichrist Superstar" is his latest and "strongest musical" (Pearson, Deirdre 2).

connect-?
Manson's second album, Smells like children, is a tribute to two tracks, "a buse" (part one and two) and "confusion" which were on the original cut but were eventually taken off before the album was distributed. *needs something here* Manson explains the reason for this in an interview with Rudolf "both tracks featured collaborations done sometime last year with a guy named Tony Wiggins. It involved illegal activities. The record company said they didn't want them on the album, which caused Tony Wiggins, a volatile person to try and kill somebody. Some talk these off (Randolf 3). With this in mind it is easy to see why the albums release was so delayed.

wrote up better
> explain better conclude bet

Another point to consider when talking about Marilyn Manson is his extravagant use of drugs. in an interview with Zena Tsarfin, Manson said he "started smoking pot again", he had initially stayed away from "grass" for fear of jeopardizing his singing career (1). He only smokes it in the form of a "joint", he doesn't mess around with pipes or bong" (Zena Tsarfin 2). What kind of Maniac would smoke dope?

poor conclusion to 91 - rewrite

need x-rays
Manson was also "really into LSD when the band was first starting, about 5 or 6 years ago" (Zena Tsarfin 3). Jokingly Manson said he "would take acid and go to Disney World, everything seemed larger than life, it was terrifying" (Zena Tsarfin 3). Clearly Marilyn Manson portrays the phrase drug fiend, he believes "all drugs should be legal," (Zena Tsarfin 4).

need to explain more conclude 9

Through the tolerance of "evil" groups such as Marilyn Manson, many children's minds are being degraded. Marilyn Manson shows that it is possible for Christian society to produce someone who is against every thing it stands for. Believing that what he is doing is good and promoting it through music, he gains followers by epitomizing children's black thoughts of rebellion.

*This man + what you
found in paper -
made me know it
was his Christian
influence that
produced this*

Web browser "Bookmarks" that Richard apparently used in preparing his English class paper on "Marilyn Manson".

- <http://papermag.com/magazine/manson.html>
- <http://pw2.netcom/ mhannon1/index.html>
- <http://student-www.uchicago.edu/users/cdbrown/inter.html>
- <http://www.utech.net/chico/prop.html>
- <http://www.hallucinet.com/underscope/nov95/manson.html>
- <http://www.hooked.net/toadophile/manson.html>
- <http://www.netrail.net/ sonicenu/manson.html>
- <http://www.lia.co.zq/users/marko/cool.html>
- <http://www.hightimes.com/ht/mag/9606/manson.html>

Irresponsible Hate Anthem

**I am so all-American, I'd sell you suicide
I am totalitarian, I've got abortions in my eyes
I hate the hater, I rape the raper
I am the animal who will not be himself
Fuck it
Hey victim, should I black your eyes again?
Hey victim,
You were the one who put the stick in my hand
I am the ism, my hate's a prism
Let's just kill everyone and let your god sort them out
Fuck it
Everybody's someone else's nigger/I know you are so am I
I wasn't born with enough middle fingers/
I don't need to choose a side
I better, better, better, better not say this
Better, better, better, better not tell
I hate the hater, I'd rape the raper
I am the idiot who will not be himself
Fuck it
(Chorus)**

The Beautiful People

**I don't want you and I don't need you
Don't bother to resist, I'll beat you
It's not your fault that you're always wrong
The weak ones are there to justify the strong
The beautiful people, the beautiful people
It's all relative to size of your steeple
You can't see the forest for the trees,
And you can't smell
Your own shit on your knees
Hey you, what do you see?
Something beautiful, something free?
Hey you, are you trying to be mean?
If you live with apes, man, it's hard to be clean
There's no time to discriminate
every motherfucker
That's in your way
The worms will live in every host
It's hard to pick which one they eat the most
The horrible people, the horrible people
It's an anatomy as the size of your steeple
Capitalism has made it this way,
Old-fashioned fascism
Will take it away
(Chorus)**

Little Horn

**There's an apple in the pussy mouth
Now I am the dinner whore
There's a tumor in the T.V. mouth
Burn it out before it grows
Someone better get the dog to kick
Jaws wired shut to save the dick
Out of the bottomless pit comes the little born
"Little born is born"
The world spreads its legs for another star
World shows its face for another scar
Dead will dance for what is left
The worms will wait with baited breath
"Your blind have now become my deaf"
So says this little born
"Save yourself from this..."
(Chorus)**

Cryptorchid

**Each time I make my mother cry an
Angel dies and falls from heaven
When the boy is still a worm it's hard to
Learn the number seven
But when they get to you
It's the first thing that they do
Each time I look outside
My mother dies, I feel my back is changing shape
When the worm consumes the boy it's never
Considered rape
When they get to you
Prick your finger it is done...
The moon has no eclipsed the sun...
The angel has spread its wings...
The time has come for bitter things...
(Chorus)**

Mister Superstar

Hey, Mr. Superstar
"I'll do anything for you"
"I'm your number one fan"
Hey, Mr. Porno Star, I, I, I, I want you
Hey, Mr. Sickly Star
"I want to to get sick from you"
Hey, Mr. Fallen Star
"Don't you know I worship you?"
Hey, Mr. Big Rock Star
"I wanna grow up just like you"
I know that I can turn you on
I wish I could just turn you off
I never wanted this
Hey, Mr. Superbabe
I just want to love you
Hey, hey, hey Mr. Superfuck,
I wanna go down on you
Hey, Mr. Supergod
Will you answer my prayers?
Hey, hey, hey Mr. Superman
I want to be your little girl
(Chorus)
Hey Mr. Superstar
I'll kill myself for you
Superstar,
I'll kill you if I can't hav eyou
Superstar, superfuck baby...

Angel with the Scabbed Wings

He is the angel with the scabbed wings
Hard-drug face, want to powder his nose
He will deflower the freshest crop
Dry up all the wombs with his rock and roll sores
Dead
Is what he is, he does what he please
The things that he has you'll never want to see
What you're never gonna be now
Sketch a little keyhole for looking-glass people
You don't want to be him
You only want to see him
Mommy's got a scarecrow, gotta let the corn grow
Man can't always reap what he sow
"He is the maker"
(he is the taker)
"He is the savior"
(he is the ra)
(Chorus)
Get back you're never gonna leave him
Get back you're always gonna please him

Anticbrist Superstar

**You built me up with your wishing bell
I didn't have to sell you
You threw your money in the pissing well
You do just what they tell you
REPENT, that's what I'm talking about
I shed the skin to feed the fake
REPENT, that's what I'm talking about
Whose mistake am I anyway?
Cut the head off
Grows back hard
I am the hydra
Now you'll see your star
Prick your finger it is done
The moon has now eclipsed the sun
The angel has spread its wings
The time has come for bitter things
(Chorus)
The time has come it is quite clear
Our anticbrist
is almost here...
it is done**

Minute of Decay

**There's not much left to love
Too tired today to hate
I feel the empty
I feel the minute of decay
I'm on my way down now, I'd like to take you with me
I'm on my way down
I'm on my way down now, I'd like to take you with me
I'm on my way down
The minute that it's born
It begins to die
I'd love to just give in,
I'd love to live this lie
I've been to black and back
I've whited out my name
A lack of pain, a lack of hope,
A lack of anything to say
There is no cure for what is killing me
I'm on my way down
I've looked away and saw a
World that's dead
I guess that I am too
(Chorus)
I'm on my way down now, I'd like to take you with me....**

Man That You Fear

**The ants are in the sugar
The muscles atrophied
We're on the other side, the screen is us and we're TV
Spread me open,
Sticking out my pointy ribs
Are all your ants in abortion cribs
I was born into this
Everything turns to shit
The boy that you loved is the man that you fear
Pray until your number
Asleep from all your pain,
Your apple has been rotting
Tomorrow's turned up dead
I have it all and I have no choice but to
I'll make everyone pay and you will see
You can kill yourself now
Because you're dead
in my mind
The boy you loved is the monster you fear
Peel off all those eyes and crawl into the dark,
You've poisoned all of your children to camouflage your scars
Pray unto the splinters, pray unto your fear
Pray your life was just a dream
The cut that never heals
Pray now baby, pray your life was just a dream
(I am so tangled in my sins that I cannot escape)
Pinch the head off, collapse me like a weed
Someone has to go this far
I was born into this
Everything turns to shit
The boy that you loved is the man that you fear
Peel off all those eyes and crawl into the dark,
You've poisoned all of your children to camouflage your scars
Pray your life was just a dream
The cut that never heals
Pray now baby, pray your life was just a dream
The world in my hands, there's no one left to hear you scream
There's no one left for you**

Testimony of Debbie Pelley
Hearing before the Senate Commerce Committee
"Labels and Lyrics: Do Parental Advisory Stickers Inform Consumers and Parents?"
June 16, 1998

My name is Debbie Pelley. I am a teacher at Westside Middle School in Jonesboro, Arkansas and was present when four students and one teacher were killed and ten others injured by two 11 and 13 year old boys as the students evacuated the school building when a false fire alarm sounded on March 24, 1998.

I was the English teacher for the 13 year old, Mitchell Johnson, and had him in class an hour a day from August 15 to March 24. Mitchell was always respectful, using yes'mam and no'mam in his responses to me. In my class I never saw him exhibit anger, never saw him commit any hostile act toward any other student or exhibit any behavior that would make me think Mitchell could commit this act. In fact, he had a pleasant and even cheerful disposition and appeared to enjoy his many friends, and to enjoy life in general.

In a discussion with 7th grade classes the first day they were back at school after this tragedy, a discussion led by myself and another licensed professional counselor, James N. Woods, students explored possible reasons Mitchell could have committed this act. The students said that Mitchell had been listening to gangster rap music, and in particular to TuPac Shakur. They also said he had started to change a lot in the last two or three months.

On succeeding days numerous students on many occasions contributed the following information. TuPac Shakur and another rap group, Bone Thugs & Harmony, were Mitchell's favorite musical groups. (At this point I had never heard of either of these groups.) Mitchell brought this music to school with him; listened to it on the bus; tried listening to it in classes, sang the lyrics over and over at school, and played a cassette in the bathroom "about coming to school and killing all the kids". Students said that in the last couple of months Mitchell was always making the gang sign that is on the cover of TuPac's album, All Eyes On Me, and that Mitchell was far more into this music than anyone else they knew. Mitchell's mother, and Mitchell himself, recently confirmed that he bought these albums this last Christmas, three months before the tragedy.

One boy brought a CD by TuPac that Mitchell had lent to him and told me I could keep it, saying he didn't want to have anything more to do with the music because he felt it may have been an influence in Mitchell's life that led to this tragedy.

These 12 year old students showed me how to pull these lyrics by TuPac and Bone Thugs off the internet (about 500 pages of violent lyrics) and then identified Mitchell's favorite albums and songs that he was always singing. Following are a few examples of titles and quotes from those songs the way they are recorded on the internet. I wish every adult would take the time to read these lyrics as I have done. Most adults would be in for quite a shock.

"Crept and We Came" by Bone Thugs from the album, Lyrics on :: E 1999

Cockin the 9 and ready to aim/ Pullin the Trigger/To blow out your brains/Bone got a gang/Man we crept and we came. (This song has about 40 murder images like "putten them in the ground and pumpin the gun." Mitchell's mother recently confirmed that Mitchell is still very familiar with the lyrics to this song. Last words of this song are quite revealing considering the way Mitchell and Drew killed the five and injured the ten so stealthily.)"

"Body Rott" by Bone Thugs from the album, Art of War :: World War I album.

One refrain used over and over in this song is **"Nigga the war shouldn't stop until these mother fucking cops' body rott, body rott."** This song contains the "f" word 23 times and several references too bitches and hoers (their usual expressions for females).

"Life Goes On" from the All Eyez On Me album by TuPac.

My homie from high school/he's getting bye/It's time to bury another brotha/ nobody cry.

"I Ain't Mad At Ya" by TuPac from the All Eyez On Me album:

I can see us after school/ we'd bomb on the first motherfucker/With the wrong shit on..

"2 Of Amerikaz Most Wanted" by TuPac from the album All Eyes On Me

Some fitting words since they killed and injured all females but one are these two lines: **"Picture perfect, I paint a perfect picture/Bomb the hoochies with precision."** Then the refrain **"Ain't nuttin but a gansta party"** is repeated five times in the chorus, and the chorus is repeated several times in the song.

"Shorty Wanna Be A Thug" by TuPac from the "All Eyez On Me album."

He was a nice middle class nigga/But nobody knew the evil he'd do **When he got a little bigger/...Was only sixteen, yet convicted as a felon/With a bunch of old niggas.** Chorus: Say he wanna be/Shorties gonna be a Thug/Said he wanna be/One day he's gonna be/Said he's wanna be/Shorties gonna be's a thug. (Last part is repeated several times in each chorus.)

"Bury Me A G" by TuPac from the Thug Life Vol. I album

I got nothen' to lose sos I choose to be a killer/Went from bangin' to slangin'/Now I'm a dope dealer/All my life payed tha price to be the boss/Back in school/Wrote tha rules on gettin' tossed/popping rocks on the block was a past time/Pack a 9 all the time

"Blaze It" by Bone Thugs from the album The Art of War: World War II.

I'm so high. If reefer really makes you happy, nigga blaze it. hell yeah, hell yeah. Stay smokin', chokin', rollin' blunts [blunts are big marijauna joints] and we love it. We smoke and choke, we smoke and choke, and we love it. (This is repeated several times.) Now, I've been fucked up since the last weed song, and P.O.D.'d the whole night long.

Several students verified that the theme and message of this music is that killing and being on death row are cool. The students themselves pointed out that the recording company that publishes TuPac is called Death Row Records and showed me that on the "All Eyes On Me Album" the cover advertises "Upcoming Death Row Releases" and one of them is called "Death Row Compilation" One of the songs by Bone Thugs & Harmony, "If I could Teach the World" from the album The Art Of War : : World War I says, "If I could teach the world, Then I would teach the world, whole wide world to be a thugsta just like me, like." That seems to be the point of their music.

On June 1st Mitchell Johnson's mother said that Mitchell himself said that the music may have influenced him and that the music sort of draws you in. She confirmed to me that Mitch did possess, and she still has, Mitchell's albums and cassettes by TuPac and by Bone Thugs. She knew he bought them this last Christmas before the shooting in March with money he had received as a Christmas present from relatives. Mitchell told her he bought them himself and had no trouble purchasing them. As noted above, numerous students reported the first day back at school that Mitch had started to change a lot the last two or three months and was making gang signs in the hall and around school.

Mitch's mother said he had always loved music and had sung specials at church and school since he was very little and that he owned and sang western music and gospel music as well. She did not know Mitchell had any that had warning labels on it. (These warning labels are in very small print and barely legible.) When she questioned Mitchell recently, he said he was first exposed to rap music through a girl in the neighborhood in Minnesota who had TuPac's music. He said he liked it because it was different. That was two years ago, when Mitchell and the girl were both 11 years old.

Surveys in three middle schools in Arkansas and one in Missouri indicate that a large percentage of students in middle schools now listen to gangster rap music, ranging from 39% to 84% of students that listen to TuPac and from 37% to 84% that listen to Bone Thugs and Harmony. Surveys were conducted in three middle schools in Arkansas and one in Missouri. Following are the results:

Schools in Arkansas

- 1st School, 7th Graders - 39% like to listen to TuPac and 67% to Bone Thugs.
- 2nd School, 8th Graders - 68% like to listen to TuPac and 84% to Bone Thugs.
- 3rd School, 9th Graders - 82% like to listen to TuPac and 37% to Bone Thugs

In a rural middle school in Missouri the survey was conducted in the 5th, 6th, 7th, and 8th grades. The results are as follows:

- 5th grade - 65% to TuPac and 77% to Bone Thugs
 - 6th grade - 65% to TuPac and 75% to Bone Thugs
 - 7th & 8th Grades Combined - 58% to TuPac and 78% to Bone Thugs
- (The teacher did not keep 7th & 8th Grade Results Separate on These)

Numerous students made comments on these surveys that they liked and listened to this music, but that their parents would not have a clue as to who these groups were. The warning labels are extremely small on these albums. I had to actually look for it to find it when the students told me this music had warning labels on it. All parents and teachers with whom I have talked are shocked as I was when they see the lyrics and when they learn how many students are listening to this music. One parent wept when she saw the lyrics to which her son was being exposed.

I believe the message coming out of the tragedy in our school in Jonesboro, Arkansas is that even the good schools and responsible families can no longer protect their children from our society. Violent music is only one aspect of our culture but a very significant one that seems to have gotten very little attention in the recent school tragedies. And Bone Thugs and TuPac are only two of the many musical groups that are affecting our youth. According to the Pittsburgh Post Gazette, May 22, 1998 Andrew Wurst, the 14 year old boy who shot a teacher and injured two others in Edinboro, Pennsylvania, "called himself Satan and liked the rock group Marilyn Manson." (Marilyn Manson is a shock rocker known for his violent lyrics.)

I believe that legislators who are elected to represent and protect the citizens in our country should find a way to investigate the scope of this problem, to protect our children from this music, and to educate the parents and society even as I have been educated in the last several weeks.

For the lyrics to these songs above and about 55 more songs by Bone Thugs & Harmony with the same type of violence, gangs, profanity, sex, & drugs, go to <http://henge.com/~msmith/Lyrics/e1999/lyrics.html>

For more than one hundred songs by TuPac (many of the songs are three and four pages long) with this same type of violence, gangs, drugs, and sex, go to <http://www.trailerpark.com/tequila/jjtupac/lyrics.htm>



February 3, 1999

Dear Senator:

On behalf of the Recording Industry Association of America ("RIAA") and its members, we write to express our opposition to Senate Bill 2384. Our members create, manufacture and distribute more than 90% of the legitimate sound recordings sold in the United States. Although we do not oppose a "harmful to minors" bill in principle, we believe that S.B. 2384 is unconstitutional and will certainly give rise to unnecessary litigation.

First, let us tell you what the recording industry presently does to protect minors. Since 1985, record companies voluntarily have identified and labeled sound recordings that may contain strong language or mature content -- a standard much broader than constitutionally permissible "harmful to minors" statutes. Today, the RIAA Parental Advisory logo appears on such recordings, thereby giving parents the opportunity to decide what material is appropriate for their children. This program works well because it promotes social responsibility by providing information to parents, while enabling record companies and artists to exercise their rights of free expression without government intervention.

"Music, as a form of expression and communication, is protected under the First Amendment." Ward v. Rock Against Racism, 491 U.S. 781 (1989). The provisions of S.B. 2384 are so overbroad as to unconstitutionally impinge upon this expression. The bill contains a number of novel phrases and standards that are vague and constitutionally infirm. For example:

- "Harmful to minors" is defined to include "advocating, glamorizing or encouraging" such things as suicide, "morbid violence" and the illegal use of drugs or alcohol. Does that mean that a song about pervasive socio-political issues such as taking one's life or alcoholism would be considered "harmful to minors"? What about a song about a woman who chooses abortion for an unwanted pregnancy -- is that "morbid violence" according to any of North Dakota's state prosecutors? How about "You're Only Human" by Billy Joel (song about suicide) or "Lucy in the Sky With Diamonds" by The Beatles?
- What does it mean to describe something that appeals to "shameful interest" of minors? Is not dishonesty "shameful"? Would a song that depicted lying

or adultery be considered "harmful to minors," such as "Your Cheatin' Heart" by Hank Williams?

- What is something that appeals to a "morbid interest"? Would a song about death be considered appealing to "morbid interest"? What about "Folsom Prison Blues" by Johnny Cash or "Mack the Knife" by Kurt Weil?

The upshot of these overbroad standards is to endanger constitutionally protected music, thereby posing a "threat of censoring speech that . . . falls outside the statute's scope." Reno v. ACLU, 117 S. Ct. 2329 (1997). Whenever artistic and creative expression is subject to the vagaries of interpretation by state officials, judges and juries, the inevitable result is to chill that expression because authors are bound to check their creativity and retailers will discontinue selling product for fear of straying too close to a line drawn by statute. The result will be costly litigation for all involved, including the prospect of attorneys' fees payments with taxpayer money to successful plaintiffs.

S.B. 2384 also imposes the impossible burden on retailers to label and sequester product that may fall within these vague definitions. It is simply impossible for retailers -- especially small businesses -- to listen to each and every of the 27,000 albums, or 300,000 songs, released annually to determine which albums should be labeled or placed in an "adults only" section of the store. Undoubtedly, the threat of prosecution in S.B. 2384 will result in retailers either placing too much material in an "adults only" section or simply choosing not to carry a wide range of creative works for fear of running afoul of a prosecutor's definition of "harmful to minors." Either way, a segment of the public will be denied access to such mainstream artists as Garth Brooks, Billy Joel, Sheryl Crow, and Johnny Cash. Moreover, mandating labels on certain recordings itself raises serious constitutional questions.

For these reasons, we urge you to reject S.B. 2384. The goals of the sponsors of S.B. 2384 are already addressed by an effective voluntary program adopted by the recording industry that enables parents to decide what is appropriate for their. Thank you for your consideration of our views.

Sincerely,

A handwritten signature in black ink that reads "Hilary Rosen". The signature is written in a cursive, flowing style with a long horizontal line extending to the right.

February 8, 1999

SENATE HUMAN SERVICES COMMITTEE

Chairman Thane, members of the Committee, my name is Erik Sakariassen and I am speaking to you on my own behalf in opposition to Senate Bill 2384.

As the parent of an eight-year-old girl and twelve-year-old boy, I can understand the desire of this bill's advocates in trying to suppress language, images, and ideas that many of us find personally disturbing. It can be tempting to believe that passing such restrictive legislation will make these disturbing messages go away forever, and that our children will then be able to grow up and live in the kind of environment we would all best wish for them. I trust, however, that you know how dangerous it is to fall prey to such temptation, for the outcome, intended or not, is censorship.

My family owns and operates Saks News, Inc., a wholesale distribution company that supplies more than 750 retail stores throughout North Dakota and Northwestern Minnesota with books, magazines, comics, trading cards, and confections. In addition, we own and operate two retail bookstores, Maxwell's Books, in Bismarck and Jamestown. Particularly troubling to me is the language in this bill that expands the definition of "Harmful to Minors" to include "advocating, glamorizing or encouraging suicide, murder, violent racism, religious violence, morbid violence, or the illegal use of drugs or alcohol" that, considered as a whole, appeals to the ... "morbid interest or shameful interest" of minors.

On the shelves of our bookstore here in Bismarck, we stock an ever-changing inventory of some 12,000 book titles, 3500 magazine titles, and hundreds of comic, music and audio book titles. I'm not sure I could even begin to tell you which of these might fall under the proposed definition of "Harmful to Minors." I do know that if we all went down there this afternoon and started shuffling through them, we'd each come up with a different list.

While I couldn't hope to read 12,000 books, I have read a lot. I've got a Masters Degree in English and we had to read day and night to get through some of those upper level literature classes. I suspect some would think Judith Guest's book, Ordinary People, glamorizes suicide, certainly Romeo and Juliet does. Native Son, by Richard Wright, in its brilliant condemnation of prejudice, depicts some pretty horrible racial violence. I even suspect there are those who would argue that the religious violence in Thomas Kenally's book, Schindler's List, is harmful to minors. How do we decide?

How do we decide? Do I put Batman and The Incredible Hulk in the back room? What about Salman Rusdie's Satanic Verses, where should I display that? Stephen King and Anne Rice top the New York Times bestseller lists, but are they appropriate for teenagers? And what about all those magazines with tobacco and beer advertisements in them, do I have to read and sort through 3000 magazine issues every month? And what if I conclude that a book or magazine or comic or music CD is safe for minors, that it doesn't really advocate, glamorize or encourage suicide, violence or drugs and alcohol, can I then be certain that others in my community would agree with my judgment, that I am not opening myself up for a challenge I can't possibly anticipate?

In 1731, Benjamin Franklin wrote: "If all printers were determined not to print any thing till they were sure it would offend no body, there would be very little printed." Clever bunch, those Founding Fathers. They recognized that free speech is essential to a free society. When we begin to write this kind of restrictive legislation, even under the noble intent to protect our children, we open ourselves up to all kinds of unintended censorship.

No, raising children isn't easy these days. I suspect it never has been. It is my belief, however, that the only way to face those disturbing messages we seem to find all around us, is to arm our children as best we can, with the tools of rational thinking, to enable them to discern for themselves, based on the values taught at home, just what constitutes appropriate behavior.

Passage of Senate Bill 2384 will not make these disturbing messages go away. It will, however, place the dangerous burden of censorship on businesses that sell books, magazines, music and video tapes in the State of North Dakota. I urge you please to give Senate Bill 2384 a do not pass recommendation.

American writer and diplomat Clare Boothe Luce once said: "Censorship, like charity, should begin at home; but unlike charity, it should end there." Thank you.

**MEMORANDUM IN OPPOSITION TO
NORTH DAKOTA SENATE BILL 2384**

On behalf of its member companies that conduct business in the state of North Dakota, the National Association of Recording Merchandisers (NARM) respectfully declares its opposition to North Dakota Senate Bill 2384. NARM represents the retailers and wholesalers of sound recordings and other home entertainment products.

Senate Bill 2384 presents a number of problems for retailers and wholesalers, placing them in the position of acting as a censor. We believe that parents should make decisions which limit access to material protected by the First Amendment to their children. The proposed mandatory restrictions are unnecessary because the recording industry is already voluntarily providing a program which alerts consumers about the content of sound recordings. In 1990, record company members of the Recording Industry Association of America (RIAA) adopted a uniform advisory label which is affixed to recordings with questionable lyrics. The logo almost always appears under the shrink wrap where it can continue to alert parents to content even after purchase.

NARM continues to support this voluntary program because it serves as a useful tool to parents in their decision making process regarding what music they deem appropriate for their children. An in-store merchandising program also exists to further promote the industry's efforts. NARM together with RIAA make available to retailers across the country, free posters and counter cards describing this important initiative.

We submit that Senate Bill 2384 is unconstitutional because it attempts to prohibit minors' access to material that is constitutionally protected by the First Amendment. The material in question is neither "obscene" nor "harmful to minors and therefore not subject to prohibition, even to minors, under the United States Supreme Court rulings found in *Miller v. California* and *Ginsberg v. New York* respectively.

Focus groups of parents confirmed that they prefer our voluntary information system to one of censorship and government regulation. This legislation would place an unfair and unnecessary burden on the business community and we respectfully urge that it be rejected.

TESTIMONY ON SENATE BILL 2384

The Motion Picture Association of America, Inc. (MPAA) submits this memorandum in opposition to legislation changing the definition of "harmful to minors" to include violence and illegal drug and alcohol use and authorizing city ordinances restricting material that contains violence or the illegal use of drugs and alcohol. MPAA respectfully submits this legislation is both impractical and burdensome to business and contravenes the First Amendment to the United States Constitution.

MPAA is a trade association representing the leading producers and distributors of motion pictures in the United States¹. All MPAA member companies produce and distribute motion pictures for theatrical exhibition and for subsequent release on videocassette, pay, cable and broadcast television. MPAA also administers the Classification and Rating Administration (CARA) which awards the familiar G, PG, PG-13, R, or NC-17 ratings to motion pictures. CARA was established in 1968 by the motion picture and theatre industries to provide parents with information to help them determine which motion pictures their children should see.

Senate Bill 2384 would deny minors access to scores of classic motion pictures which parents may want their children to view. As drafted, the proposed measure could force our companies not to distribute to minors such classics as "Gone With the Wind", "Wizard of Oz", and "Swiss Family Robinson." Further, video retailers and theatre owners may refuse access to them as well. Certainly it cannot be the intent of the sponsors of this legislation to deny children access to such material.

Moreover, we believe the proposed mandatory restrictions are unnecessary as the motion picture, video, video game and recording industries have all taken steps on a voluntary basis to inform parents and children about the content of motion pictures, videos and audio recording in order to keep unsuitable materials out of the hands of children. For example, as mentioned above, the MPAA instituted the voluntary movie rating system in 1968 which is voluntarily enforced by theatre owners across the country. Additionally, in 1987 the Video Software Dealers Association (VSDA), representing video retailers throughout the U.S., formally endorsed enforcement of the rating system rules by its

¹ MPAA members include: Buena Vista Pictures Distribution, Inc. (Disney); Metro-Goldwyn-Mayer, Inc.; Paramount Pictures Corporation; Sony Pictures Entertainment Inc.; Twentieth Century Fox Film Corporation; Universal Studios, Inc.; Warner Bros.

members. In February of 1991, VSDA introduced on behalf of its members a "Pledge to Parents" program to promote and encourage voluntary enforcement of the MPAA's rating system guidelines. We believe this further demonstrates that the entertainment industries are already regulating themselves in a responsible manner.

Additionally, the criminal liability associated with this bill could cause theaters, video stores and other retailers who make available motion pictures, videos, video games and other material that may depict violence, to either close their doors or to severely curtail the availability of popular material. To avoid the likelihood of criminal prosecution, theaters and video stores may be forced to carry only the mildest films, videos and games that do not portray the so-called violent behavior enumerated in this bill. The threat of prosecution, conviction, fines and imprisonment as well as the attendant negative publicity is just too much risk for a theatre or video store. As a result, customers would be denied access to movies and videos they now enjoy.

The free flow of information and ideas is protected from government regulation by the First Amendment. The Supreme Court has ruled many times that laws that promote self-censorship because of the fear of legal consequences violate the First Amendment as much as laws that directly ban certain speech. See Smith v. California, 361 U.S. 147, 154 (1959).

ONLY MATERIAL FOUND OBSCENE OR HARMFUL TO MINORS CAN BE PROHIBITED

Only material, including videos and motion pictures, that fall within the narrow definitions of either "obscene" or "harmful to minors" can be prohibited, even to minors, under United States Supreme Court decisions.

The exhibition of a video, motion picture, video game or sound recording to an adult may be proscribed only if the video or motion picture is obscene, which requires a finding that such material "if taken as a whole, appeals to the prurient interest in sex, portrays sexual conduct in a patently offensive way, and taken as a whole, does not have serious literary, artistic, political or scientific value...", Miller v. California, 413 U.S. 15, 21 (1973). The more recent Court ruling in Pope v. Illinois, 481 U.S. 497 (1987) reaffirms Miller.

Regulations pertaining to the availability of a video, exhibition of a motion picture or availability of video games or sound recordings to a minor face similar constitutional scrutiny: it may be proscribed only if the video or motion picture is "harmful to minors", which requires a finding that the video or motion picture depicts nudity, sexual conduct, sexual excitement, or sadomasochistic abuse which "predominantly appeals to the prurient, morbid, or shameful interests of minors, which is patently offensive to prevailing standards in the adult community concerning what is suitable for minors and which is utterly without redeeming social importance for minors." Ginsberg v. New York, 390 U.S. 639 (1968).

MATERIAL DEPICTING VIOLENCE CANNOT BE PROHIBITED

The attempt in this legislation to prohibit minors' access to material that contains depictions or representations of violence goes well beyond obscenity guidelines established by U.S. Supreme Court decisions. While the Supreme Court stated in Miller that obscenity was not protected by the First Amendment and could be regulated by the states, it has repeatedly held that virtually all other portrayals of behavior are protected by the First Amendment.

In Interstate Circuit Inc. v. City of Dallas, 366 F.2d 590 (5th Cir. 1966), *remanded* 391 U.S. 53, 88 S.Ct. 1649, 20 L.Ed.2d 415 (1968), the Fifth Circuit struck down as overbroad and unconstitutional an ordinance which classified as "not suitable for young persons" any film which described or portrayed excessive brutality or criminal violence. The Court found that the restriction on brutality or violence was invalid and held that "the standard for classification must be restricted to the control of obscenity".

The Supreme Court in Sovereign News Co v. Falke, 448 F.Supp. 306 (U.S.DC Ohio 977), *remanded* 610 F.2d, 428, *cert. denied* Warner V. Sovereign News Co., 447 U.S. 923, *rehearing denied*, 448 U.S. 912, *appeal after remand*, 674 F.2d. 484, *cert. denied* 459 U.S. 864, and 459 U.S. 883 (1982), confirmed a lower court ruling which held that materials containing non-obscene violence, brutality, or cruelty cannot be banned. The Court held that materials involving violence are given the highest degree of constitutional protection and may not be restricted unless they constitute a clear and present danger to society. More recently, the Supreme Court held that an Indianapolis ordinance that prohibited the depiction of non-obscene sexual violence was unconstitutional because the ordinance proscribed speech based on content. American Booksellers Association' Inc. et. al. v. William Hudnut III 771 F.2d 323 (1985) *aff'd*, 106 S.Ct. 1172 (1986). The Court reasoned that the First Amendment preserves the right of every speaker in this nation to advocate even unpopular views. Therefore, restrictions placed upon the depiction of distasteful, upsetting or socially unacceptable behavior restrain free expression and are unconstitutionally overbroad.

Depictions and descriptions of violence have never been included among the categories of unprotected speech. The Supreme Court has declined to create such a category in cases in which it has considered such depictions and descriptions. In Winters v. New York, 333 U.S. 507 (1948), the Court had before it magazines that were "nothing but stories and pictures of bloodshed and lust." 333 U.S. at 512. The Court further stated that, "It]hough we can see nothing of any possible value to society in these magazines, they are entitled to the same protection of free speech as the best of literature." Winters, 333 U.S. at 510.

More recently, the United States District Court for the Western District of Missouri declared a Missouri violence statute unconstitutional and permanently barred its enforcement. The Missouri statute, which was signed into law in 1989, would have forbidden the sale or rental of "violent" videocassettes to minors. In his order ruling the law

unconstitutional, Judge Bartlett noted that, "[t]he Supreme Court has not held that violent speech is unprotected by the Constitution...unlike obscenity, violent expression is protected by the First Amendment." Video Software Dealers Association, et. al. v. William L. Webster et. al, 773 F.Supp. 1275 (1991), *aff'd* 968 F.2d 684 (1992).

The Court of Appeals upheld the District Court, and recognized the distinction between materials depicting violence and those that are beyond the scope of First Amendment protection. "[V]ideos depicting only violence do not fall within the legal definition of obscenity for either adults or minors..." VSDA, 968 F.2d at 688. The State of Missouri has been ordered to pay nearly \$250,000 in legal fees, resulting from their loss in the constitutional challenge, to the MPAA and VSDA. A similar successful challenge to this legislation on First Amendment grounds could subject North Dakota taxpayers to liability for both their own legal costs as well as those of the successful plaintiff.

Senate Bill 2384 prohibits material that depicts or represents violence or the illegal use of drugs or alcohol. It would be impossible for theatre owners or video retailers to determine which films and videos would fall within the parameters of the bill. For example, a documentary that contains a great deal of news footage from Bosnia, or movies such as "Saving Private Ryan" and "Schindler's List" or certain cartoons, like "Superman" and "Teenage Mutant Ninja Turtles," could be deemed to contain violence as described in this legislation.

Central to our concern about this legislation is the fact that many mainstream motion pictures and other works which are socially acceptable by the majority of North Dakota residents as entertainment for minors, could be the focus of prosecutions brought against theaters and video stores. A movie with a message to discourage drug usage that utilizes a dramatic element in the content of the film which portrays the illegal use of drugs to illustrate the realities of the drug culture would subject theatre and video store owners to prosecution if made available to minors under the provisions of the bill. This legislation would establish an unreasonable burden and potential criminal liability on theatre and video store owners.

CONCLUSION

Since the motion picture, theatre, video, video game and recording industries have taken extraordinary steps to provide advance warning to parents about the content of videos, motion pictures, video games, and sound recordings through the use of parental advisory systems, we believe this legislation is an unnecessary and unreasonable burden on our business community.

Moreover, unless material meets the narrow definition of obscenity for adults set forth by the Supreme Court in Miller v. California, or for minors in Ginsberg v. New York, it may not be prohibited. This proposed bill exceeds the parameters of the Miller and Ginsberg decisions. It would create a new legal liability for motion picture distributors, theatre owners and video retailers whose response may be to simply not carry certain

material they think may be deemed too violent for minors, but that is constitutionally protected material for adults.

Therefore, for practical and legal reasons, we respectfully urge that this legislation to deny minors access to certain films and videos that contain depictions of violence be rejected.

CRS Report for Congress

Regulating Record Lyrics: A Constitutional Analysis

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Rita Ann Reimer
Legislative Attorney
American Law Division

June 18, 1987

