

2020

**CHILD TRAFFICKING & CHILD SEXUAL
ABUSE MATERIAL (CSAM) IS AN
IDEOLOGY: “CHILDREN ARE SEXUAL
FROM BIRTH”**

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[Eliminating Abusive and Rampant Neglect of Interactive Technologies Act \(EARN IT Act\)](#)
“Holding the Tech Industry Accountable in the Fight Against Online Child Sexual Exploitation”
March 11, 2020

Senator Feinstein Asks: “[How Did We Get To This?](#)”

“I am a mother of seven children and a grandmother...nothing enrages me more than sexual abuse of children....it is horrendous it is destroying young children. The New York Times just said that the number of reported photos, videos, and other materials related to online child sexual abuse grew by more than 50% last year. Case Closed Mister Chairman. I’m proud to support this legislation.”

Senator Dianne Feinstein¹ (D. CA)

Evidence for “why” the USA (and the globe) faces a CSAM and child sex trafficking pandemic requires a backward glance at the removal of sex crime penalties in 1948 based on *The Sexual Revolution* and its radical allegations that *children are sexual from birth*. That this view permeated the then “intelligentsia” percolating down through the generations is evidenced by “5,200 Pentagon employees” downloaded “child pornography”² in 2009, yet the arrested names, offices, crimes or penalties remain unknown.

Briefly, in 1948 rape could get death in 18 states, life in 22. In 49 states the “age of consent” for marriage was 16 to 18³ (note-fornication was criminal in all but 12 states).⁴ However, New York Magistrate Morris Ploscowe, an “expert on...criminal law”⁵ ridiculed sex laws as repressive, as violating a “wide human



need.”⁶ Judge Ploscowe pointed for evidence of “need” to Dr. Alfred Kinsey’s tome, *Sexual Behavior in The Human Male* (1948). Seventy percent of the press lauded the Kinsey-Rockefeller funded “data”⁷ and *the Sexual Revolution* was born, seen in the delightful cartoon at left. Kinsey’s *Male* book was read by a 22-year-old college virgin, Hugh Hefner, who claimed to be Kinsey’s “pamphleteer.” In 1953, alongside Kinsey’s *Female* book, Hefner will launch *Playboy* beginning the [pornography revolution](#),⁸ serially reproduces by “The Playboy Philosophy” publicizing Kinsey’s findings.

This set the American stage later for the Frankfurt School and Herbert Marcuse.⁹ The 1948 Rockefeller-Kinsey coalition of law and psychiatry will normalize sex predation by 1955 via a “Model Penal Code” (discussed shortly).

1948: THE SEX PREDATOR—IS EVERYMAN—“NOT ABNORMAL”

Sexual Behavior in The Human Male published to a Mass Media Blitz, Ploscowe says:

- Kinsey concludes: “*the sex offender is not a monster. [N]ot very different from others in his social group...his behavior is similar to theirs. [So] there is nothing very shocking or abnormal in the sex offender’s behavior...[This] should lead to a downward revision of the penalties presently imposed on sex offenders.*¹⁰
- *[V]irtually every page of the Kinsey Report touches on some section of the legal code....[L]aw....falls lamentably short of being based on a knowledge of facts. [A] total clean-up of sex offenders . . . [would] put 95% of the male population in jail.*¹¹

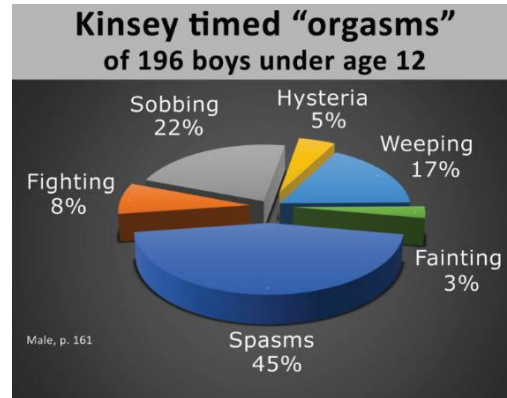
- **Law attempts to forbid an activity which responds to a wide human need**
- [N]o bar association, law school journal, or lawyers' committee can consider [sex] laws without reference to the Kinsey study. **Kinsey's first volume ended an era . . .** the single greatest contribution of science to the . . . law in my lifetime.¹²
- Table 30: "Pre-Adolescent Eroticism and Orgasm", **214 boys** from 1 year old.
- Table 31: "Pre-Adolescent Experience in Orgasm", **317 boys** from 2 months old
- Table 32: "Speed of Pre-Adolescent Orgasm", **188 boys**, ages unknown
- Table 33: "Multiple Orgasm in Pre-Adolescent Males", **182 boys**, ages unknown
- Table 34: "Examples of Multiple Orgasm in Pre-Adolescent Males", **29 boys**, 5 months, up¹³

The Children of "Table 34"

AGE	NO. OF ORGASMS	TIME INVOLVED	AGE	NO. OF ORGASMS	TIME INVOLVED
5 mon.	3	?	11 yr.	11	1 hr.
11 mon.	10	1 hr.	11 yr.	19	1 hr.
11 mon.	14	38 min.	12 yr.	7	3 hr.
2 yr.	7	9 min.	12 yr.	3	3 min.
		65 min.			9
2 1/2 yr.	4	2 min.	12 yr.	12	2 hr.
4 yr.	6	5 min.	12 yr.	15	1 hr.
4 yr.	17	10 hr.	13 yr.	7	24 min.
4 yr.	26	24 hr.	13 yr.	8	2 1/2 hr.
7 yr.	7	3 hr.	13 yr.	9	8 hr.
8 yr.	8	2 hr.	13 yr.	3	70 sec.
9 yr.	7	68 min.			11
10 yr.	9	52 min.	14 yr.	26	24 hr.
10 yr.	14	24 hr.	14 yr.	11	4 hr.

Table 34. Examples of multiple orgasm in pre-adolescent males
Some instances of higher frequencies.

Male, p. 180



Dr. Kinsey cited their team's child abuse of the boys cited above in Chapter 5 of the Male volume. Anyone reading the Kinsey report of children "screaming" "fainting" "fighting" their adult "partners" would know this was child torture--described by Kinsey as "pleasure."¹⁴ It is confirmed that Dr. Kinsey was a sadomasochistic, pornography producing, masturbatory addict.¹⁵ However, some still object to unveiling Dr. Kinsey as a closeted bi/homosexual, pedophile; a sexual psychopath whose false "data" served his long term, criminal "special interests".¹⁶

Kinsey's "evidence" was false in critical areas. He reported that none of 4441¹⁷ women he interviewed were *ever* raped and 10% to 37%¹⁸ of interviewed males were part-time homosexual to orgasm. These falsehoods became settled science, changing laws on sodomy, marriage, sex education, adoption, now transgender therapy, and other sexual issues. Some claim that the LGBTQI¹⁹ lobby was built on the pedophile/pederast rapes of his 2,035 experimental victims almost all small boys.²⁰ Based on Kinsey, the American Law Institute, Model Penal Code even argued that age 10 *or younger* could be the age of consent for sex.



The Rockefeller-Kinsey fraud indeed "ended an era" and began, we submit, an "era" employing "science" to normalize, among other things, CSAM. In 1950, Dr. Manfred Guttmacher, head of the Group for the Advancement of Psychiatry (GAP), advisor to the nascent **American Law Institute Model Penal Code (MPC)** said the law must accept psychiatry's enlightened view of children's sexuality. GAP said Kinsey's records of "child orgasms" nullified the 1950s harsh sex crime penalties. In 1957-58 sexual abuse of children, 0 to 12, unless accompanied by evidence of "violence" disappeared from all FBI rape data, based on "experts".

Why?²¹ This eliminated data on child rape until the 1992 National Incident-Based Reporting System (NIBRS) again began collecting ages of all victims.²² Dr.

Guttmacher's "Committee on Forensic Psychiatry" had agreed that "persons under the age of 7"²³ could be **the seducers** of their sex crimes. Guttmacher:

1950: Children are Sexual From Birth

- **With One Adult....persons under 7** are....by endowment and training fully capable of part or exceptionally even full responsibility for sexual behavior....[I]n the later age levels the legal concepts of rape and of contributing to delinquency become increasingly untenable."²⁴ **GAP:** "Kinsey's data were the points by which we steered....The debt that society will owe to Kinsey and his co-workers for their research on sexual behavior will be immeasurable."²⁵ Key "research" the team "measured" quoted child "sexuality" above as in Tables 30-34.
- **1953:** Both *Sexual Behavior in The Human Female* and *Playboy Magazine* are published.
- **1955 MPC:** "Despite the indication that 12 is the commonest age for the onset of puberty, *it seems wise to go well outside the average or model age, and it is known that significant numbers of girls enter the period of sexual awakening as early as the tenth year.*" **A 10 yr, old "accustomed to sex (1) would suffer little or no psychological harm ... and (2) might well be the seducer rather than the seduced."**²⁶
- **1976:** I meet the 'International Pedophile Consortium' at the "Conference on Love and Attraction" in Swansea, Wales. The clan launched *Paidika: The Journal of Paedophilia* in 1987.
- **1981:** *The Crime Victims Handbook*, In his Introduction, President Ronald Reagan puzzled over what happened to our once female and child sex protective laws. "For most of the past thirty years [1951] justice has been unreasonably tilted in favor of criminals and against their innocent victims. This *tragic era can fairly be described as a period when victims were forgotten, and crimes were ignored.*"²⁷

1981: NAMBLA argued,²⁸ and the NYT agreed: "By requiring a finding of obscenity, the 5-to-2 decision by the Court of Appeals....struck down a portion of a 1977 law that made it illegal to produce, promote or sell materials that showed children in....depictions of "sexual conduct." It defined such conduct as "actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, sadomasochistic abuse or lewd exhibition of the genitals."²⁹ .

1981-2: The same year President Reagan observed that victims were ignored and offenders were being privileged, child pornography is made legal by New York's highest court in *New York v. Ferber* and reversed by the US Supreme Court a year later.³⁰

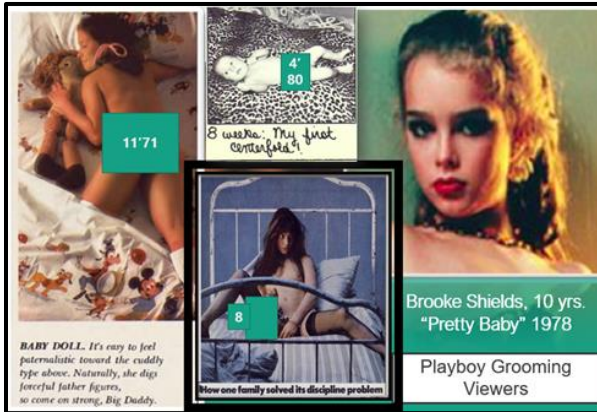
1984: Under President Reagan, our DoJ/FBI/Law Enforcement Task Force and Dr. Judith Reisman were to research: "...the effect that pornography and sexology may have upon societal violence in general and juvenile exploitation and abuse in particular." It is of "immediate concern... requiring coordination across the criminal justice spectrum....OJARS, NIJ, DOJ, and FBI..." Following backdoor political negotiations, our blue-ribbon Task Force is canceled.³¹

1986: C. Everett Koop, M.D.: "[P]ornography is a "crushing public health problem in America today...to ignore the evidence clear and present danger to American public health...[P]ornography is the cause for much of the rape that occurs today, impressionable men -- many of them still in adolescence -- see this stuff and get the impression that women like to be hurt....pornography does stimulate attitudes and behavior that have gravely negative consequences...impair the mental, emotional, and physical health of children....blatantly anti-human, ... its appeal is to a dark and anti-human impulse and the results [are] injurious to the physical, mental, and emotional health

of our citizens, young and old, female and male alike. We must oppose it as we must oppose all violence, hate, and prejudice. And if that is somehow un-American well, it's news to me.³²

1986: “*Researcher Links Pictures to Abuse*,” [Special To The New York Times](#): “A Justice Department study has found that three popular adult magazines... frequently depicted sexual images of children, and the chief researcher said today that the depictions might be linked to child abuse. The researcher, Judith A. Reisman, said her study should cause lawmakers and the public to rethink their attitude toward the magazines, Playboy, Penthouse and Hustler, and other adult publications.” In a 1992 investigative book, *The Power House*, addressing Washington DC corruption by special interests, Trento reports, “Reisman...made a...most appealing target for discrediting...Gray and Company charged The Media Coalition between \$50,000 and \$75,000 per month for the [Reisman] campaign.” “[M]uch of the cost was borne by *Playboy*; *Penthouse*...”³³

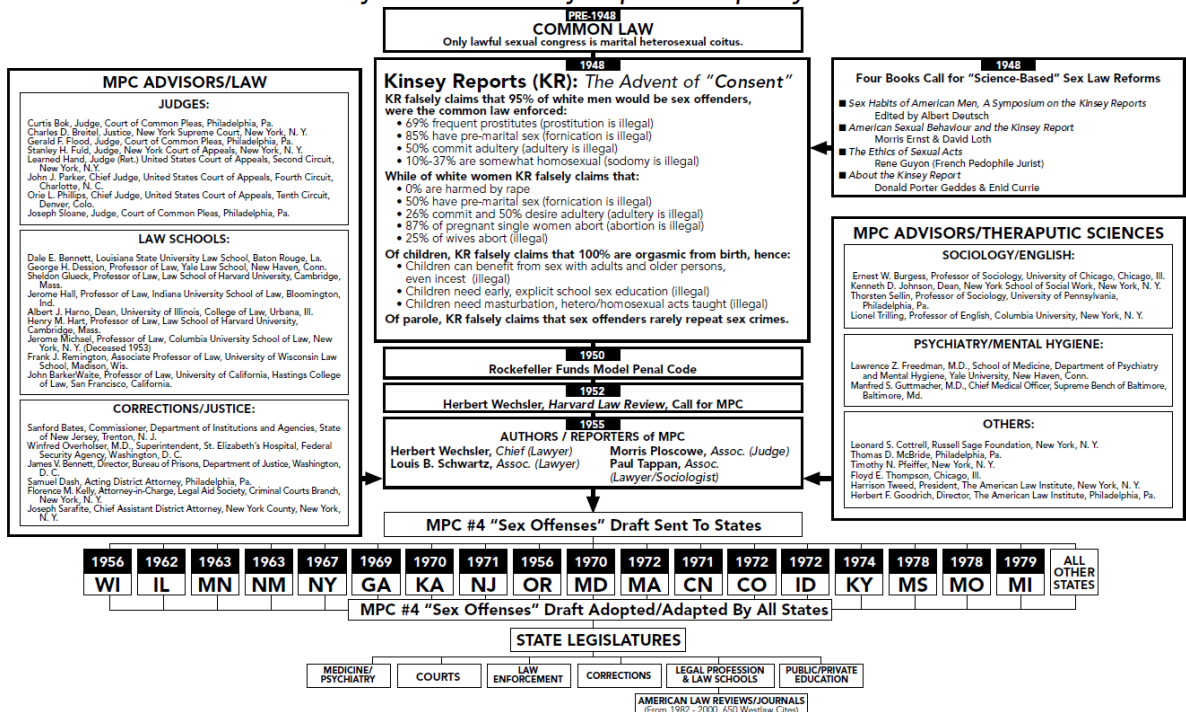
As the DOJ researcher, I charged Playboy produced child pornography, CSAM cartoons, texts, and photos since 1954. I [won a Playboy libel suit](#) with evidence of these charges of cultural contagion using child sex cartoons moving to child sex photos by the early 70s. Led by the intelligentsia, immoral behavior became enlightened, private conduct with no serious public health consequences.³⁹ Since 1955 the MPC had instantiated into law Kinsey’s “science”. If 50% of husbands and 25% of wives are adulterous, and 22% of wives had criminal abortions, if 10% to 37% of men are recreationally “gay” and if children solicit experimental sex with adults, etc., this would mean that sex offenders are rare recidivists and pornography and sexual promiscuity do not increase harmful STD’s, divorces, or sex crimes.



SELECTED FINDINGS

Child Depictions			Adult Crime and Violence Depictions		
Basic Facts:			Basic Facts***		
49% (2,971) photographs			42% (6,273) photographs		
34% (2,016) cartoons			36% (5,338) cartoons		
17% (1,017) illustrations			22% (3,243) illustrations		
PRINCIPAL CHILD	AND	OTHER CHARACTER	VICTIM	AND	OFFENDER
<i>Where Depicted</i>					
47% female		49% male	46% male		54% male
32% male	SEX	35% female	43% female	SEX	22% female
21% both/other		16% both/other	11% both/other		24% both/other
<i>AGE</i>					
39% 3-11 years		78% adults	66% 18-39 years		57% 18-39 years
26% 12-17 years		7% 3-11 years	15% 40-60 years		17% 40-60 years
16% fetus-2 years		7% 12-17 years	3% 61+ years		3% 61+ years
14% pseudo children (*)		6% unspecified	16% unspec/mixed		23% unspec/mixed
5% unspecified		2% fetus-2 years			
<i>RACE</i>					
85% Caucasian		85% Caucasian	85% Caucasian		82% Caucasian
3% Black		3% Black	2% Black		2% Black
12% Other minority		12% Other minority	13% Other minority		16% Other minority
Sample Child Depictions (Nonadditive)			Sample Crime and Violence Depictions: (Nonadditive)		
29% nude/genital display (visuals only)			56% violent props (Visuals only)		
21% visually exposed/sexualized			32% nude and/or sexualized victims		
20% genital activity			14% killing/murder		
16% sexual encounter with adult			14% assault/battery		
10% force			12% sex dealing/prostitution		
10% killing/murder/maiming			12% violent sex act		
6% internal genital ("pink") exposure (visuals only coded)			12% other violent activity		
4% sex with animals/objects			11% white collar crime		
Share of Child Depictions by Magazine**			Share of Crime and Violence Depictions by Magazine		
Playboy: 8 avg/issue (5% of Playboy cartoons/visuals)			Playboy: 21 avg/issue (12% of cartoons/visuals)		
Penthouse: 6 avg/issue (4% of Penthouse cartoons/visuals)			Penthouse: 16 avg/issue (10% of cartoons/visuals)		
Hustler: 14 avg/issue (12% of Hustler cartoons/visuals)			Hustler: 32 avg/issue (26% of cartoons/visuals)		
Playboy highest year: 1971 (N=187, or 16 per issue)			Playboy highest year: 1976 (N=490, or 41 per issue)		
Penthouse highest year: 1972 (N=131, or 11 per issue)			Penthouse highest year: 1980 (N=271, or 23 per issue)		
Hustler highest year: 1978 (N=228, or 19 per issue)			Hustler highest year: 1984 (N=568, or 47 per issue)		
AGGREGATE SHARE OF CHILDREN, CRIME AND VIOLENCE BY MAGAZINE					
Over 9,000 scenarios in <i>Playboy</i> , <i>Penthouse</i> and <i>Hustler</i> were identified as depicting characters under 18 years of age. From this population pool, a mere 6,004 scenarios met the project's unusually narrow criteria for the analysis of child depictions. ¹⁷					
Playboy: 29 average per issue			Penthouse: 22 average per issue		
Hustler: 46 average per issue			Hustler: 46 average per issue		
* The description of "pseudo-child" provided in the Attorney General's Commission on Pornography (1986, Vol. I, p. 618) reads: "Pseudo-child pornography or 'teases' involve women allegedly over the age of eighteen who are presented in such a way as to make them appear to be children or youths. Models used in such publications are chosen for their youthful appearance (e.g., in females, slim build and small breast); and are presented with various accoutrements designed to enhance the illusion of immaturity (e.g., hair in ponytails or ringlets, toys, teddy bears, etc.). Pseudo-child pornography is of concern since it may appeal to the same tastes and may evoke responses similar or identical to those elicited by true child pornography."					
** For rationale of estimates, see <i>Overview of Project</i> (Volume I), Table I, "Average Total Number of Features Per Magazine," and Table II, "Average Number of Cartoons and Visuals Per Issue Containing Child Imagery" (pp. 95-96).					
*** For rationale of final 14,854 estimate, (originally 14,692) see <i>Overview Project</i> (Volume I), Table I, "Average Total Number of Features Per Magazine" (p. 95), and Tables "Crime and Violence Data" (p. 133), "Crime and Violence Cartoon Data" (p. 134), and "Crime and Violence Visual Data" (p. 137).					
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THE MODEL PENAL CODE (MPC) REMOVES PROTECTIONS FOR WOMEN & CHILDREN
U.S. Justice System 1948 - Today: Experts Usurp Jury of One's Peers



Playboy begins the grooming process using child cartoons (humor to condition!) and within two decades involving exploitive images, photos, of children. This continues until 1885 when the Reisman report on Images of Children, Crime and Violence in Playboy, Penthouse, and Hustler (1987) is released, although it is attacked and the research declared invalid.

The EARN IT Act: Holding the Tech Industry Accountable In The Fight Against Online Child Sexual Exploitation,

Rockefeller-Kinsey countered common sense and observation. Alert, self-preservation sexual instincts were dismissed as "religious" morality. Sexual "liberation" was privatized—for the first time in American history. Kinsey and disciples advised state sex law revision committees to copy the ALI MPC on "Sexual Offenses" despite many now "private" sexual behaviors erosion of public health and welfare. We were off and running. Pornography and child sexuality were attainments on the horizon.

Trying to curb sexual exploitation via CSAM, predation, and trafficking without enforcing federal obscenity laws is like trying to curb water pollution without prosecuting businesses from dumping toxic wastes into the water supply.³⁴

What had been illegal, immoral behavior became enlightened, private conduct with very bad results.³⁹ Led by Senators Blumenthal (D-CT) and Graham (R-SC), the hearing addressed either eliminating or amending section 230 of the Communications Decency Act (CDA) which gave "free speech" protection to tech companies from prosecution when "others" trafficked child sexual abuse material (CSAM) on company-owned platforms. The EARN IT Act stipulates (1) rules for immunity from CSAM statutes and (2) penalties for violations. Companies and their CEO's violating the law would [lose civil liability protections and be subject to lawsuits.](#)

Chairman Senator Graham said, "Section 230 was passed years ago which basically gives blanket immunity to the tech companies...so they would flourish...it is time to rain in." It is well established that

were child pornography properly classified as a “disease” this disease has more than reached epidemic/pandemic levels.

“**Epidemic**: The occurrence of more cases of a disease than would be expected in a community or region during a given time period.” Sexual assault on children and women was an epidemic by the 1970s. Compared to all other violent crimes, the FBI “Index of Crime, United States 1960-1999” “forcible” rape topped the list of major crimes:

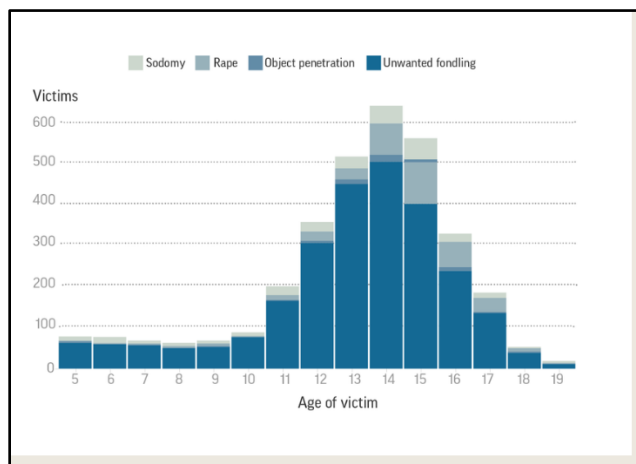
1.	Forcible Rape:	+418%
2.	Violent Crime:	+396%
3.	Robbery:	+279%
4.	Property Crime	+229%
5.	Larceny-theft:	+274%
6.	Motor Vehicle Theft:	+250%
7.	Burglary:	+130%
8.	Aggravated assault:	+168%
9.	Murder:	+ .70%

Note, “rape” is unlisted. By the late 50s, only “forcible rape” not “rape” was a crime. The view of virginity as important disappeared with sexual liberation. Reisman’s book *Stolen Honor, Stolen Innocence* (Chapter 8) rather thoroughly notes the massive legal and attitudinal changes resulting in “he said she said” and “forcible” be added to rape, as a “violent crime.”³⁵

To violate the reproductive organs (virgin or not) of a woman or girl is thus a violent act, despite lack of knife, gun, or threat. Statutory rape (defined as the carnal knowledge or the attempted carnal knowledge of a female **with no force used** and the female is under the legal age of consent) or other sex offenses [sodomy] **were no longer “major crimes”** under this category.³⁶

1998: NCMEC Cybertipline had 4,000 reports; by 2014 1.1 million; by 2019 ~17 million reports. The **434900%** increase from 1998 - 2019 reflects a child holocaust heretofore unheard of. “Character,” the human brain, mind, thus conduct, has undergone major change seen below.

13,000 Children, K-12 In-school: Sodomized, Raped, Object Penetration, Unwanted Fondling, 2013-2014



Left, note these stats obtained by the *Associated Press* (AP) researchers of student sexual assaults on their peers or younger children, 2013–14. Who remembers such schoolhouse conduct as “normal?” On the evidence, these are learned, observed, practiced, “educated” actions. Where do children learn these actions? They are educated instantiated, only via graphic sexual depictions in films, videos, and yes, books.

Drs. Ben Carson and Thomas Sowell both describe how, as young boys, their lives were changed, educated, directed by the “exciting” books they read in their local libraries. Today’s “exciting” books,

often promoted, to boys and girls in libraries and schools,³⁷ are documented as reflecting the values of the American Library Association (a union), librarians selecting some books and rejecting others. The resulting education, on the evidence, too often includes “exciting” descriptions of mixed-gender rape, sodomy, drug

and alcohol use, etc.³⁸ In many schoolrooms, children are trained in books, language, films, videos, lectures, to believe their knowledge is sufficient for personal decision-making, as “activists” which leaves them open to sexual exploitation of themselves and their peers.



The AP data on school sex abuse in one year, between 2013–14 identified 13,000 reports of children sexually violated by other children--outside of the “one in ten K-12 students [victimized] by educator misconduct”.³⁹ Relatedly, between 1999 and 2014, the suicide rate for females age 10 to 14 had the largest percent increase (200%), tripling from 0.5 per 100,000 in 1999 to 1.5 per 100,000 in 2014; 244 Males age 10 to 14 experienced the second-largest percent increase.

Dr. Neil Postman, as chair of the Department of Culture and Communications, New York University, described a dramatic increase in serious crimes (i.e., murder, forcible rape, robbery, and aggravated assault) committed by American children.

[In] 1950, in all of America, only 170 persons under the age of fifteen were arrested for what the FBI calls serious crimes, ie., murder, forcible rape, robbery, and aggravated assault. This number represented .0004 percent of the under-fifteen population of America.⁴⁰

This 7,547% national increase from 1950 is compared to only schoolhouse abuse by peers, sodomy, rape, object penetration, and unwanted fondling. Sodomy and object penetration is “pornographic” behaviors largely foreign to the 1950 culture. Such forms of sexual violence are learned in the learning environment. These specific types of sex crimes mirror the “obscenity exemptions”⁴¹ that permit teaching otherwise illegal obscenity—even for adults--to be “taught” via schoolbooks, lectures, videos, and other materials, and eager internet platforms. “Obscenity exemptions” for “established schools” date roughly from 1953.⁴² It should not surprise you to find much collateral damage is suicide.⁴³ These child destructive statistics, abortions being another indication, are a few measures of the changing adult and juvenile views of children. Moreover, the books offered to children are increasingly depressing and dysfunctional.⁴⁴

The degree of violence done to children, toddlers and infants, calls for lawsuits charging third party damage. The tech company that allow harm to children must be held criminally accountable for their harmful activity. Just as a bartender now shares criminal responsibility for a pedestrian’s death if he allowed someone to leave his bar under the influence, tech companies would be incentivized immediately to stop crimes on their platforms, if their CEOs paid with their liberty.

Pre & Post Kinsey Eras: Public Harm Sex Offenses Privatized Legally Taught, "Obscenity Exempted" K=12		
Laws	It was --1948	Post 1955
Obscenity	Prison and/or Fines	Legal-If in School, K-12
Age of Consent	16, 18, 21 years old	Can be 12 to 18
Rape	Death/18 States, Life/22	6 months to 4 years
Statutory Rape	Death in 16 States	0 - 2 years (consent)
Seduction	Prison and/or Fines	Legal (consent)
Adultery	Prison and/or Fines	Decriminalized
Divorce	Fault: Alimony, estate	No Fault, No Alimony
Child Custody	Mother	Financially based
Abortion	Absent grounds, "Punished"	Legal-Taught in School
Sodomy	Prison and/or Fines	Legal-Taught in School

Facebook, Twitter, Snapchat, Apple, Amazon should be committed to zero slippage. As Senator Graham said, unfortunately, unless these companies put our children ahead of profits, we will have to “put these bastards in jail.” Media technologies piggybacked on a cultural contagion launched in 1948 of sexual exploitation. Child sex abuse is past the boiling point. All tech companies have the facts fully before them. Prison sentences for third party damage is the law of the land.

Google and others have chosen to give full reign to sexual violence to children. [Disney](#)

[permits its images to be used in the display \(Elsagate\)](#) of mass child sexual assault, coprophilia, bestiality, urolagnia, exhibitionism, sadism, body cutting (piquerism), and other deviant practices by pseudo children, viewed by children. My Google “search” arrives daily with reports of “baby rape” teacher rape, and general sexual brutality to children. If children and their families survive this criminal abuse it can continue the child’s lifetime for the “internet is infested with these images that simply don’t go away” for child victims. I have served as an expert witness in pornography cases and child custody cases, and the fact is you can no longer separate the two. A pornography using parent is like keeping a loaded gun on the kitchen table. It can “go off” at any time victimizing all in proximity.

Nearly “nine times more abuse material on Amazon’s service [were found] than Amazon admitted.” Amazon said they were thinking about safety but no plans to do so. This should remove Amazon immediately from all legal exemptions and suggest third party damage lawsuits to those believing they were damaged by an Amazon product.

So-called “Best Practices” are only those that cease and desist all child endangerment loopholes. Authorizing Department of Justice recourses for the prosecution of media predators must be absolute and assistance by DoJ to those who claim injuries should be made available. Companies are accountable for what is occurring on their sites. As the hearing stipulated:

They need to be held accountable for that ownership. Every single company that hosts user-uploaded content is responsible for identifying removing and reporting all child sexual abuse material. Known and unknown companies who do not do this are complicit in the abuse and need to be held accountable just like an individual person would be. The committee determined the change from child pornography to child sex abuse material establishes “what this crime really is; the sexual abuse of a child and the harm that it causes.”

Advancements in technology over the past two decades have allowed the sexual exploitation of children to flourish at alarming rates. Between 2017-18, videos of child sexual abuse (CSE) reported to the CyberTipline at the National Center for Missing and Exploited Children (NCMEC) increased by 541 percent. In 2019, NCMEC says it received 17 million reports containing over 69 million suspected CSE images, videos, and other reported content.

Eroticizing minors “encourages societal perceptions of children as sex objects,” and has been carried out since the Kinsey-Rockefeller-Hefner union. Kinsey giving child eroticism the patina of science,

Rockefeller giving Kinsey the financial promotion and credibility, and Hefner coming alongside with the early subliminal cues to shift sexual lust away from the woman to the child.

The Department of Justice indicated ...it is at a [breaking point](#) regarding the enforcement of the most heinous sex crimes against children including infant child sex abuse images and the online virtual rape of children.

Obscenity is illegal, it has always been illegal. We do not need “sexual brutality, rape, bestiality, excretory functions and other depraved forms of paraphilic content,” to arrest those violating the laws against obscenity. You report Pornhub’s “most-watched video, with over [four million views](#) worldwide, showed a teenage girl being electrocuted, burned with wax, and penetrated by a machine, while her hands and feet were shackled and her mouth was gagged. She screamed in pain, throughout this torture.” There is no excuse for lack of arrests and long term conviction for such hate crimes.

President Trump’s signing of the [Children's Internet Safety Presidential Pledge](#) is a start. Earn It Act as it and FOSTASEA are required to end legal protections for tech companies that allow illegal content and activity on their platforms. Stop Enabling Sex Traffickers Act, "To amend the Communications Act of 1934" to eliminate section 230 and to criminally prosecute violations of federal and state laws protecting children and women from sexual exploitation and sex trafficking."Putting the protection, dignity, and safety of children in the digital world over big-tech financial gain and organizational liability is paramount, and is consistent with our nation’s compelling interest in protecting its most vulnerable citizens and its future generations.

Advancements in technology over the past two decades have allowed the sexual exploitation of children to flourish at alarming rates. Between 2017-18, videos of child sexual abuse (CSE) reported to the CyberTipline at the National Center for Missing and Exploited Children (NCMEC) [increased by 541 percent](#). In 2019, [NCMEC says it received 17 million reports](#) containing over 69 million suspected CSE images, videos, and other reported content.

The Department of Justice is at a [breaking point](#) regarding the enforcement of the most heinous sex crimes against children including infant child sex abuse images and the online virtual rape of children. The acceptance of Dr. Alfred Kinsey’s fake “scientific” claims that “children are sexual from birth” and unharmed by early sex has feued the digital abuse, sex trafficking, sexual predation, and pornography, known under U.S. federal laws as obscenity. All pornography exploits the vulnerable, putting the performers at risk of life and limb. We did without pornography pre-1950 and must do without again. We recommend a 10-year Moratorium getting rid of all pornography/erototoxic materials, for health purposes. The nation chose not to tolerate body slavery and hence cannot tolerate sexual slavery.

During the week of January 4, Pornhub’s most-watched video, with over [four million views](#) worldwide, showed a teenage girl being electrocuted, burned with wax, and penetrated by a machine, while her hands and feet were shackled and her mouth was gagged. She screamed in pain, throughout this torture.

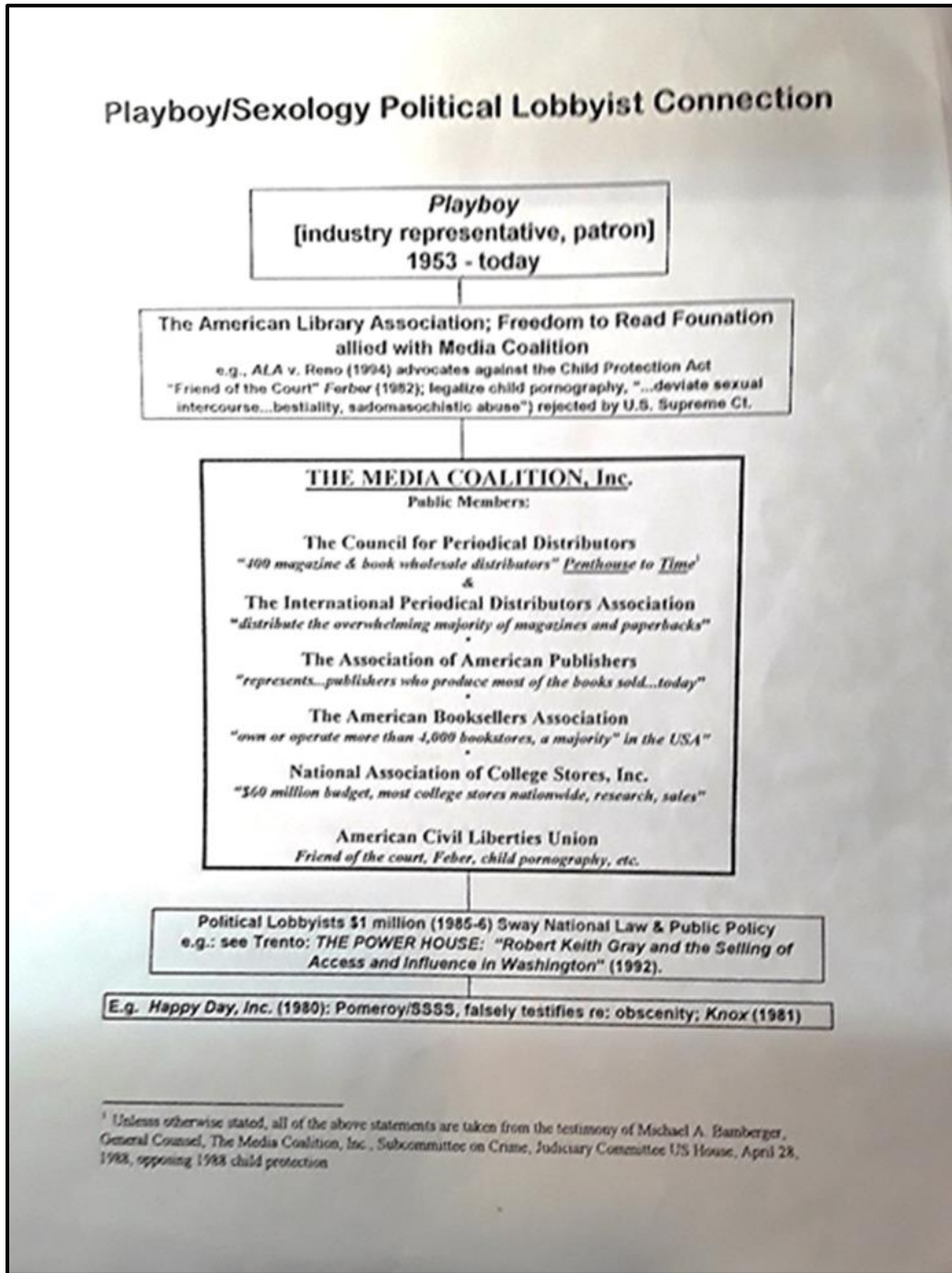
The DoJ and law enforcement must immediately enforce all laws to make our children safe online. President Trump signed EIE’s [Children’s Internet Safety Presidential Pledge](#).

The Earn It Act is a belated but critical piece of tech accountability legislation and is the second major step, FOSTASEA the first to end internet child sexual exploitation by requiring any special legal tech exemptions from prosecution for child abuse images on their platforms. “Anything less is inconceivable, irresponsible, and should not go without significant consequence.”

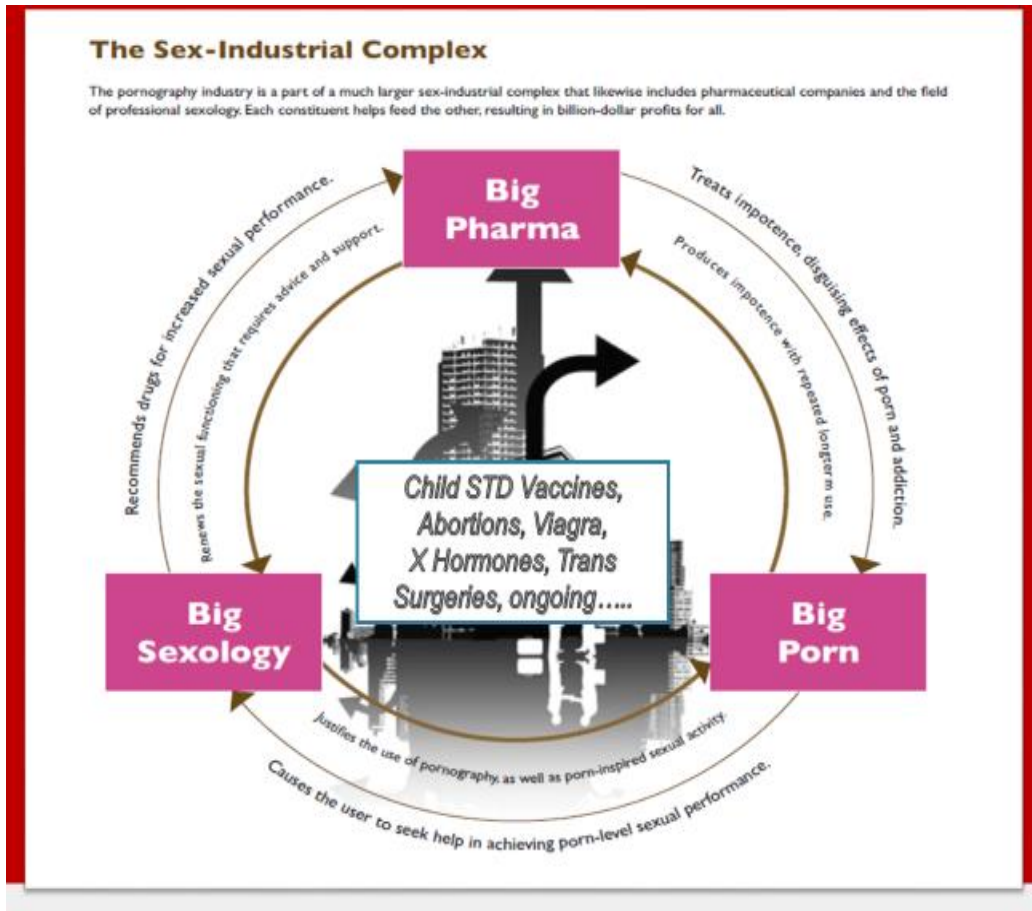
We are all grateful to the bipartisan leadership for this legislation including U.S. Senate: Richard Blumenthal (D-CT); Bob Casey (D-PA); Kevin Cramer (R-ND); Dick Durbin (D-IL); Joni Ernst (R-IA); Dianne Feinstein (D-CA); Lindsey Graham (R-SC); Josh Hawley (R-MO); Doug Jones (D-AL); and Sheldon Whitehouse (D-RI).

DRAFT ADDENDUM A

This Flow Chart needs to be redrawn and updated to reflect the Electronic Media Platforms.



SPECIAL INTERESTS IN SEXUAL DYSFUNCTION



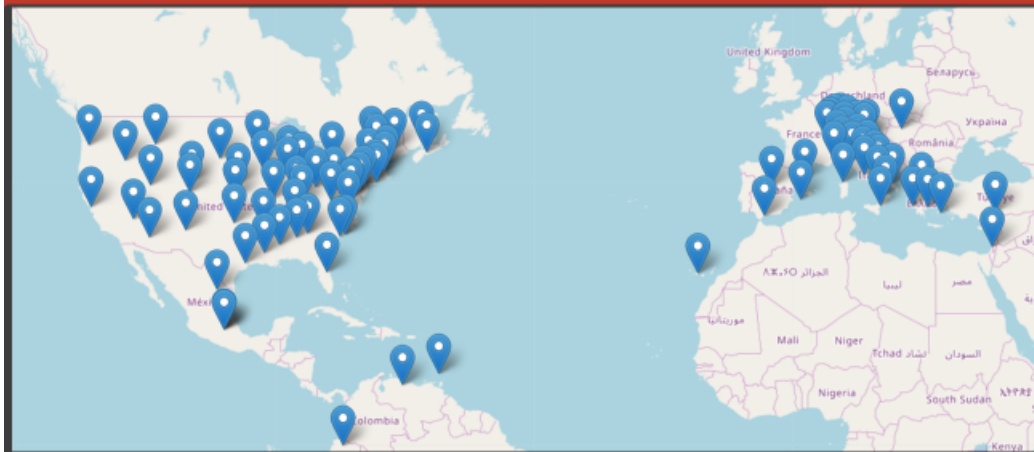
“20 or under victim of Sexual Aggression”

“ANONYMOUS” OFFENDERS

“Kinsey Reporter” solicits rape of children

from “citizen sex scientists”

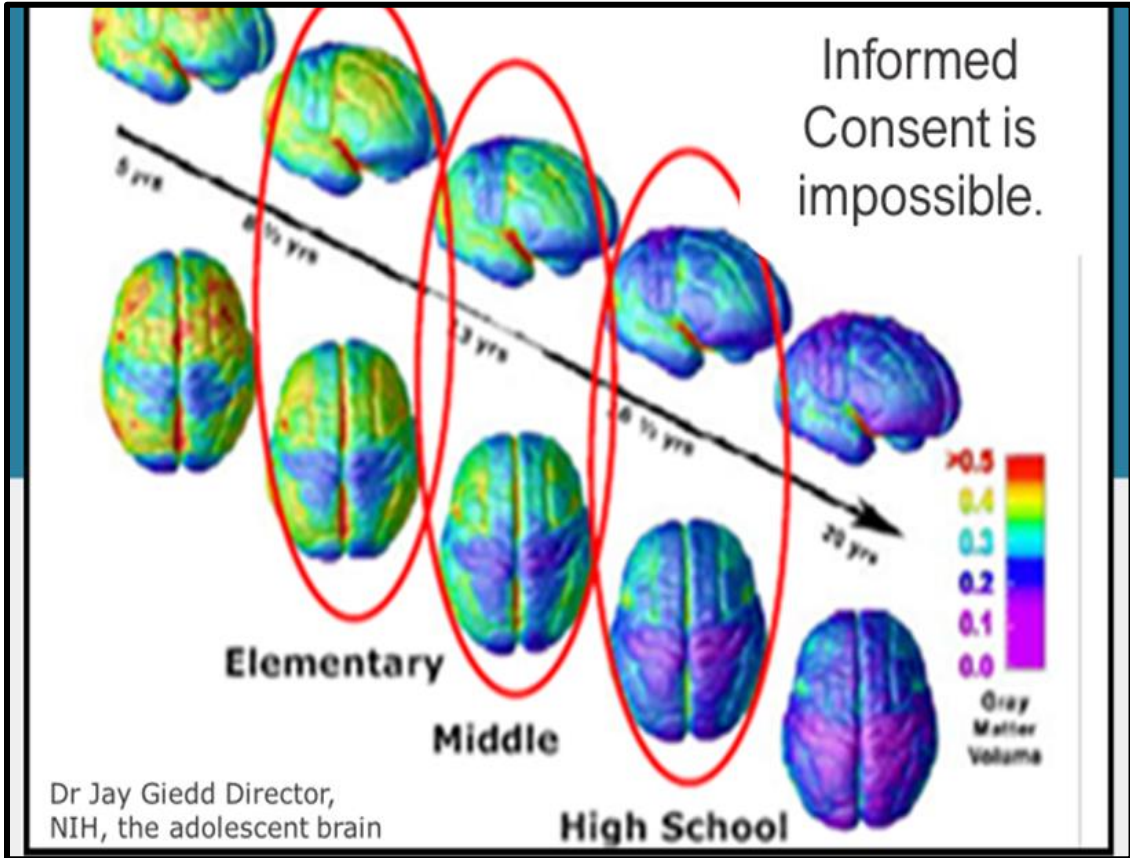
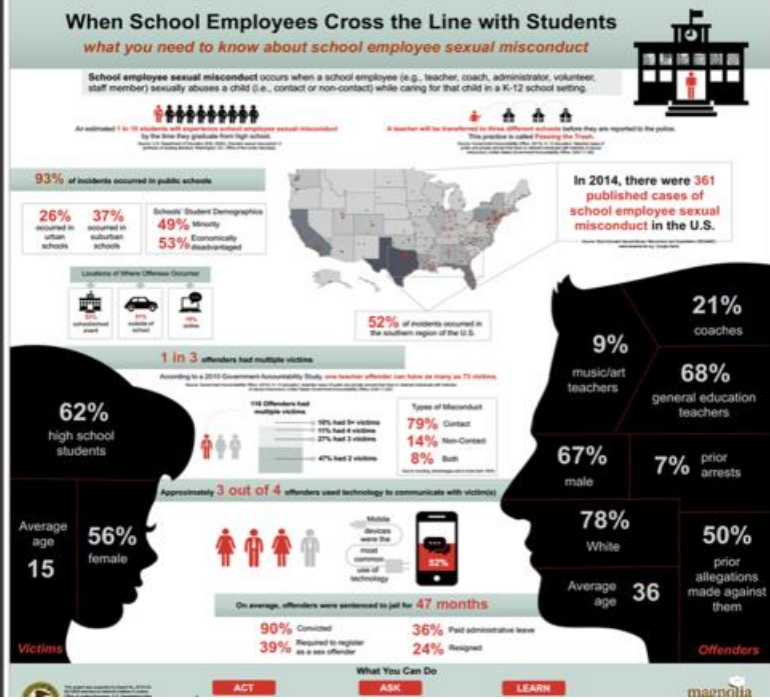
“sexual experiences worldwide.”



Not made obvious in this infographic is the % of female predators and boy victims. These data reflect a crucial change in female attitudes, aka, female brains.

~33% Female Offenders
44% Male victims

<https://www.sesamest.org/department-of-justice-study>



A FEW BRIEF CITES WHERE PORNOGRAPHY CAUSED VIOLENCE AGAINST CHILDREN AND WOMEN—INCLUDING SERIAL-RAPE-MURDER

In *Thrill Killers, a Study of America's Most Vicious Murders*, Charles Linedecker reports, (PaperJacks, New York, 1988).

It was learned that most of the killers indulged themselves in violent and sadistic fantasies. Responding to a request to indicate their primary sexual interest, 81 percent of the men put pornography at the top of the list....I, too, found overwhelming evidence of twisted sexual fantasizing, and addiction to pornography in the backgrounds of many of the killers profiled in this book...(pp. xvii-ixx):

FBI premier serial rape profiler, John Douglas reports in *Journey Into Darkness*, Pocket Star Books, New York, 1997.

[Serial-rape murders are commonly found] with a large pornography collection, either store-bought or homemade...our [FBI] research does show that certain types of sadomasochistic and bondage-oriented material can fuel the fantasies of those already leaning in that direction. (p. 299)

Roy Hazelwood, FBI serial-rape-murderer-mutilator profiler cites pornography as augmenting a predator's nascent fantasies. In Stephen Michaud, *The Evil That Men Do*, St. Martin's Paperbacks, 1998.

"Do you think the picture [of a bound woman he saw as a child in pornography] had an impact on you?" "I think it did. It's stayed in my subconscious all these years...."

"A while back we were talking about sexual bondage," Roy said, "and you mentioned tying your victims in a variety of positions. Where did you get the idea for that?"

"From [pornographic] magazines." (p. 154).

Dr. W.L. Marshall in *Criminal Neglect, Why Sex Offenders Go Free*, (Seal Books, Toronto, 1990) writes:

[T]here is mounting evidence that in susceptible men, the material [pornography] feeds and legitimizes their deviant sexual tendencies. Gene Abel, director of the Sexual Behaviour Clinic at the New York Psychiatric Institute, told the United States Attorney General's Commission on Pornography in 1985 that his research indicated that **more than fifty percent of sex offenders use pornography [while 50% is more than adequate to implicate pornography as a weapon of choice, see below for this author's view of Abel's underestimation of the actual data] Furthermore, Abel testified, the rapists and child molesters who do use pornography are less able to control their deviant behaviors than are offenders who do not.** The link between pornography and sex offenses was given further support by the results of a study conducted at the Kingston Sexual Behavior Clinic, also presented to the commission. In a survey of eight-nine sex offenders over a six-year period, one-third reported that they had used pornography immediately prior to at least one of their crimes....*even brief exposures to violent pornography can lead to a more callous attitude towards rape and women in general.* (pp. 156-157 and 163) (Emphasis added)

Rather than "fifty percent" of sex offenders as criminally fueled by pornography this author's experience confirms the following statement by John Rabun, then Deputy Director of the National Center for Missing Children, Arlington, VA, stated to a US Senate hearing in 1985 (pp. 133-134).

One of the things that became preeminent in what we found in these cases because we tried to heavily research each one of them in combined effort with the area universities, was that all, ***that is 100 percent of the arrested pedophiles, child pornographers, pimps, what have you, all of these in effect child molesters had in their possession at the time of arrest, adult pornography*** ranging from what is in the literature typically referred to as *soft pornography, such as Playboy, on up to harder, such as Hustler, and et cetera.*

[It was used] for ***their own sexual arousal***....particularly for the pedophiles, [it] was a form of ***self-validation***, "it is OK because I see it in other places. It must be all right, it is published nationally," that kind of a mind set.

The scenario, usually went something like the adult presenting them pictures in decent magazines, Redbook, Ladies Home Journal, Reader's Digest, whatever. Just simply showing them pictures of children, adult women who are fully clothed appropriately, in manners and dress, what have you; and then progressing to something in the form or fashion of Playboy, where you had partial or full nudity going on, up until something like Penthouse and Hustler, where you had full nudity to full exhibition, to actual sex acts themselves, all of which was done over a long period of time. Given that these pedophiles have access to children over a period of time, it is a general planned, methodical wearing down of the inhibitions that the parents have normally instilled in their own children.

Another fact that we came up with these 1,400 cases, is that it seemed to us if we are ever going to begin to prevent children from becoming sexually exploited, we have to determine when they become sexually exploited, not just who the children are, but when does it happen.

[O]f the entire--depending on which Federal statistic you want to use, 1.2 to 1.8 million missing children a year--fully 10 percent of that population, becomes sexually exploited yearly.⁴⁵ *The Attorney General's Task Force on Family Violence, Final Report, September 1984.*

Task Force testimony indicates that an alarming number of rape and sexual assault offenders report that they were acting out behavior they had viewed in pornographic materials." (p. 112)

For the last fifteen years in America, the pornography industry has had a definite and devastating impact on the stability of the American family and the relationship between men, women, and children, Bruce Taylor, US DoJ, Attorney. (p. 112)

Every child is a potential victim. Child pornographers are single-minded propagandists; they are at work in every community and among every socioeconomic group. They are organized and they are willing to support each other legally and emotionally. They have a powerful underworld network of peers focused totally on children as targets.--Rita Rooney, Journalist. (p. 112) The Task Force endorses the creation of the National Commission on Pornography on page 1.

Pornography has become a big business in the United States. Some government officials estimate that pornography is a \$4 to \$6 billion industry that continues to grow and expand. It is an industry that victimizes countless children who are exploited in pornographic photographs and films. Task Force

testimony indicates that an alarming number of rape and sexual assault offenders report that they were acting out behavior they had viewed in pornographic materials. Experts also testified that the only uses for child pornography are to lower the inhibitions of the child, gratify the sexual desires of the pedophile, and control and blackmail the child. The Task Force recommends that the Commission should examine: the nature, extent, and effects of pornography on society, concentrating especially on the areas of child pornography; the enforcement of obscenity statutes; and the development of model legislation.

The following quotes are also taken from, "Effect of Pornography on Women and Children," hearings in 1984. FBI special agent, Kenneth Lanning explained pedophile use of pornography for arousal as a prelude to acting out on children.

Books on human sexuality, sex education, and sex manuals are also used to lower inhibitions. Children are impressed by books, and they often believe that if something is in a book it must be acceptable. The controversial sex education book *Show Me* has been used by many pedophiles for this purpose. *Adult pornography is also used, particularly with adolescent boy victims, to arouse and to lower inhibitions.*

In most cases coming to the attention of law enforcement, however, the arousal and fantasy fueled by the pornography is only a prelude to actual sexual activity with children.

A second use...is to lower children's inhibitions. A child who is reluctant to engage in sexual activity with an adult or to pose for sexually explicit photos can sometimes be convinced by viewing other children having "fun" participating in the activity...In the pornography used to lower inhibitions, the child portrayed will appear to be having a good time.

A third major use of child pornography collections is blackmail...[One way is] through photographs taken of the child. If the child threatens to tell his or her parents or the authorities, the existence of sexually explicit photographs can be an effective silencer. The pedophile threatens to show the pictures to parents, friends, or teachers if the child reveals their secret.

A fourth use of child pornography and erotica is as a medium of exchange. Some pedophiles exchange photographs of children for access to or phone numbers of other children....

A fifth use of the collected material is for profit. Some people involved in the sale and distribution of child pornography are not pedophiles; they are involved to make money....[With new technology] the photograph of a child, taken without parental knowledge by a neighborhood pedophile in a small community, can wind up in a commercial child pornography magazine with worldwide distribution.

Another major reason authorities must search out and tabulate all forms of pornography associated with any crime For pedophile collectors, their collections are probably the most important things in their lives. They will go to great lengths to protect and conceal their collection from discovery or loss [hiding it often, even using a safe deposit box, rental storage area or at work].

ENDNOTES

¹ Senator Diane Feinstein, (D. CA), at the hearing as stipulated.

² [CNN's Anderson Cooper Reported on "Child Porn Linked To Top Pentagon, NSA Officials"](#) 12/15/16 in [Corporate Controlled Media](#).

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- ³ Robert C. Bensing, A Comparative Study of American Sex Statutes: The Journal of Criminal Law, Criminology, and Police Science, Vol. 42, No. 1 (May - Jun., 1951), pp. 57-<http://www.jstor.org/stable/1140291>.
- ⁴ http://www.drjudithreisman.com/archives/monograph_opt.pdf Prof. Bensing data comparative criminal laws.
- ⁵ <https://www.nytimes.com/1975/09/22/archives/exmagistrate-ploscowe-dies-criminallaw-expert-was-71.html>.
- ⁶ Ploscowe need to cite.
- ⁷ “Kinsey’s press plans, advertising schedule, and “promotional timetable” began surfacing as early as 1935, *three years before he was named to conduct the study...*” “*more than 70 percent of a cross section of daily newspapers carried stories*” *Stolen Honor, Stolen Innocence* (:39)
- ⁸ Spectator/Australia; “Hefner was...Kinsey’s pamphleteer and publicist... ‘great evangelist’ for Kinsey’s radical moral revisionism.” <https://www.spectator.com.au/2017/10/kinsey-and-hef/>
- ⁹ Prof. Mary Leary identified Frankfurt as the “beginning” of sexual climate change. However, [Frankfurt joined Columbia University](#) in 1935. As German refugees, they had little public impact. [Marcuse was](#) “the only member ...who achieved wide influence...1960s.” Prof. Leary is correct that their Marxist theories have gained popularity recently.
- ¹⁰ Morris Ploscowe, *Sexual Patterns and the Law, in Sex Habits of American Men* 121, 125-26 (A. Deutch, ed., 1948).
- ¹¹ Ploscowe, *Id.* at 125-26, 133-34.
- ¹² *Id.* at 245. George, Marie-Amelie. “The Harmless Psychopath: Legal Debates Promoting the Decriminalization of Sodomy in the United States.” *Journal of the History of Sexuality*, vol. 24, no. 2, 2015, pp. 225–261. *JSTOR*, www.jstor.org/stable/24616568. Accessed 15 Mar. 2020.
- ¹³ Chapter 5 in *Sexual Behavior in The Human Male* (1948), (:175 -181)
- ¹⁴ Chapter 5, *Male*, :177, 160-161),
- ¹⁵ *New York Times*, Jones revealed all in the Kinsey film, [Alfred Kinsey: Liberator or Pervert?](#)
- ¹⁶ Assembly Interim Committee on Judicial System and Judicial Process, Preliminary Report of the Subcommittee on Sex Crimes of the Assembly Interim Committee on Judicial System and Judicial Process (1950) (hereafter cited a California Preliminary Report: 9, 27, :1.
- ¹⁷ *Sexual Behavior in The Human Female* (1953) :122.
- ¹⁸ *Sexual Behavior in The Human Male* (1948) :638-641.
- ¹⁹ Chapter 5, *Sexual Behavior in The Human Male*, 169-161 and Tables 30-34.
- ²⁰ *Kinsey, Sex and Fraud* (1990), *Stolen Honor, Stolen Innocence* (2013), *Sexual Sabotage* (2010).
- ²¹ However, since 1957-58, based on the recommendations of a special Consultant Committee, the FBI UCR data *exclude* statutory rape (adult sex with minors). Where force can be proven against the child, there appears to be no uniform way rape of an under age 12 child can be included in the overall rape. data, since there is no record of under 12 sexual crimes against children. Statutory rape had earlier been understood by law enforcement as criminally violent by its nature. Despite the 1957-1958 FBI UCR excerpt (below), this author and others in the child protection field view adult sex with a child as *prima facie* violent. Based on counsel from a group of outside experts, statutory rape. was deleted as a violent crime. from the **1957** FBI UCR. The FBI UCR stated: “statutory rape (no force used -- victim under legal age of consent) was omitted and rape figures have been limited to offenses. Cite to my FBI emails for confirmation. “[How the FBI and DOJ Minimize Child Sexual Abuse Reporting](#),” (1/11/2014).
- ²² “**AGE OF VICTIM:** If the victim was a person (Individual), his/her age is to be reported either as an exact age, a range of years, or as unknown. An age is required for each "Individual" victim. The following are the age categories: NN - Under 24 hours (neonate), NB - 1-6 days old, BB - 7-364 days old, 01 - 98 years old - (report the exact age), 99 - Over 98 years old 00- Unknown Example: If the victim was a person 18 years old, report "18." If the exact age is unknown, an approximate "age" can be reported. Any range in years is acceptable. Example: If a deceased female victim appeared to be a teenager, the report could be "13 to 19." (p; 48).
- ²³ Again, the problem arises in the FBI/[NIBRS data earlier identified](#). “Forcible” rape: “The age of the victim, of course, plays a critical role in this determination....Certainly, no 4-year-old is capable of consenting, whereas victims aged 10 or 12 may need to be assessed within the specific circumstances.” (p. 21).
- ²⁴ Manfred Guttmacher, *Psychiatrically Deviated Sex Offenders, Report No. 9* (Comm. on Forensic Psychiatry of the Grp. for the Advancement of Psychiatry, 1950).
- ²⁵ David Allyn, *Private Acts/Public Policy: Alfred Kinsey, the American Law Institute and the Privatization of American Sexual Morality*, 30 J. of American Studies 3, 405-28 (1996).
- ²⁶ See footnote 14, for NIBRS’s 1992 age identified as 10 or younger to be evaluated by law enforcement as consensual rape, statutory or forcible, depending on a child’s “sexual awakening” etc., Model Penal Code § 213.1(1)(d).

- ²⁷ Ronald Reagan, *Crime Victims Handbook Preface* (U.S. Department of Justice 1981).
<https://digitalcommons.pepperdine.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1944&context=plr>.
- ²⁸ North American Man-Boy Love Association (NAMBLA) “Gay liberationists in general, and boy-lovers in particular, should know Kinsey’s work and hold it dear.... Implicit in Kinsey is the struggle we fight today.” “The Case for Abolishing Age of Consent Laws,” Daniel Tsang (ed.), *The Age Taboo: Gay Male Sexuality, Power and Consent* (1981), 96.
- ²⁹ Sexual Portrayals Using Children Legal Unless Obscene, Court Rules: The New York Times, May 13, 1981.
- ³⁰ New York v. Ferber, <https://caselaw.findlaw.com/us-supreme-court/458/747.html> A year after President Reagan observed that victims were ignored, child pornography was made legal by New York’s highest court in New York v. Ferber
- ³¹ The 1983 FBI/DOJ “[Missing Children, Serial Murder Task Force.](#)”
- ³² Everett Koop, Surgeon General U,S, Public Health Service, Deputy Assistant Secretary For Health,Us, Department Of Health And Human Services, The Annual Meeting Of The National Federation Of Catholic Physicians' Guilds Chicago, [Illinois, September 11, 1986.](#)
- ³³ Susan Trento, *The Power House ...Access and Influence in Washington*, 1992, (:193 – 200).
- ³⁴ [Enough Is Enough](#) (EIE) is among 70-plus groups, survivors and stakeholders to endorse [The Eliminating Abusive and Rampant Neglect of Interactive Technologies \(EARN IT\) Act](#) which offers incentives to technology to take online child sexual exploitation and abuse seriously.
- ³⁵ Also, [the pedophile consortium](#) worked on child rape as acceptable in certain circumstances. “In some states, sex with a minor above a certain age is criminalized only if the offender is older than the victim by a certain number of years – more than three years, for instance” (or 5 years)! This, in our view, was a devious consortium trick—as a kindly treatment of young love. Of course it opened the door further to child sex trafficking, abuse, with the claim that “a 14 year old to have sex with her 16 year old boyfriend without the boyfriend’s actions being criminal.”
- ³⁶ *Kinsey's Criminal Psychopathology in American Law*
http://www.drjudithreisman.com/archives/2014/04/kinseys_crimina.html
- ³⁷ Deborah DeGroff, What's Inside Children's Books? <https://www.whatsinsidechildrensbooks.com/>
- ³⁸ Ibid. <https://www.whatsinsidechildrensbooks.com/articles/in-such-a-time-as-this/> This book is the free downloadable books from my library. *Sex: A Book for Teens* is where I talk about the Midwest Teen Sex Show web address to check it out: midwestteensexshow.com *How Beautiful the Ordinary* celebrates the excitement, bravery of lesbian sex <https://www.whatsinsidechildrensbooks.com/articles/targeting-preschoolers/> Drag queens and transgenders as “bravery” and important, books for the very young. <https://www.whatsinsidechildrensbooks.com/articles/targeting-young-adults/> Targeting young adults with textual pornography.
- ³⁹ S.E.S.A.M.E. (1991) was founded to make “schools safer for children”. <https://www.sesamenet.org/>
- ⁴⁰ Neil Postman, *The Disappearance of Childhood* (New York: Vintage Books, 1994, 134.
- ⁴¹ Materials Deemed Harmful to Minors Are Welcomed Into Classrooms and Libraries [Via Educational "Obscenity Exemptions"](#)
- ⁴² Obscenity Exemptions for Educational Purposes Invalidates State Harmful-to-Minors Statutes:<https://www.thereismaninstitute.org/law-articles/2020/3/30/obscenity-exemptions-for-educational-purposes-invalidates-state-harmful-to-minors-statutes>.
- ⁴³ *Frontline*, <http://www.pbs.org/wgbh/pages/frontline/countryboys/readings/stats.html>.
- ⁴⁴ DeGroff, *ibid*, (f. 37).
- ⁴⁵ "Effect of Pornography on Women and Children," Hearings before the Subcommittee on Juvenile Justice of the Committee on the Judiciary, United States Senate, Ninety-Eighth Congress, Second Session on "Oversight on Pornography, Magazines of a Variety of Courses, Inquiring into the Subject of Their Impact on Child Abuse, Child Molestation, and Problems of Conduct Against Women," August 8, September 12 and 25, and October 30, 1984, Serial No. J-98-133, US Government Printing Office, Washington, D.C. 1985.

The Misguided Definition of Rape as 'Force' Mary Adkins, *The Atlantic*, May 21, 2014.

“I took criminal law with Yale Law professor Jed Rubenfeld...on "rape week," as it's known among his students due to his controversial, provocative discussions on the topic, he called on me to answer a hypothetical question meant to demonstrate how inconsistent rape laws can be: If someone stuffed a banana in my mouth, would that be rape? The class tittered. I answered no. He smiled, approvingly. Most states agreed with me, he said—[that would not be rape](#). But, had Rubenfeld been candid, he

would have said “If an adult male stuffed his penis in my mouth, would that be rape?” The victims of oral sodomy’s answer would be quite different. How many women and children have been smothered, died in that state is unknown. How many carried a lifelong STD from a penis “stuffed” in an unwilling mouth. One can bite the banana and spit it out. Trying to bite a penis connected to a male body is quite another matter. Is it rape, indeed yes, thus the common law definition of oral sodomy as “unnatural” rape.”

ADDENDUM B

Comparative Study of American Sex Statutes

Robert C. Bensing; *The Journal of Criminal Law, Criminology, and Police Science*, Vol. 42, No. 1 (May - Jun., 1951), pp. 57-72. Northwestern University Stable URL: <http://www.jstor.org/stable/1140291> Accessed: 19/10/2009 12:08

The author is Assistant Professor of Law in Western Reserve University, Cleveland, Ohio. He graduated in Law from the University of Louisville in 1947; received the degree of Master of Law at Yale in 1948, and J. S. D. at Yale, also, in 1950. The following article is an excerpt from the writer's thesis that was submitted for fulfillment of requirements for the graduate law degree in 1950.-EDITOR,

Since Dr. Kinsey and his associates made their study of the sexual drives public in 1948 the dynamic aspect of sex in the everyday life processes has been the subject of extensive and varied comment. Very little, if anything, however, has actually been done by lawyers and legislators in the field of sex legislation. Yet, anyone who has made even the most cursory survey of American sex laws cannot help but feel utter bewilderment at the crazy-quilt legislation that has been produced by the state legislatures. For example, it seems anomalous that in Louisiana and North Carolina a mandatory death sentence is provided for rape, while in New Jersey the convict may escape with only a nominal fine. In the treatment of a subject whose problems are so unvarying nationally, the only uniformity that exists is uniformity in variation.

(1) DEATH PENALTY

A death penalty upon conviction of statutory rape is permissible in 16 states under the following circumstances:

Age of Minor

- | | |
|-------------------|-------------------|
| A. Under 7 years | D. Under 14 years |
| 1. Delaware | 1. Georgia |
| B. Under 10 years | 2. Maryland |
| 1. Florida | 3. Oklahoma |
| C. Under 12 years | 4. Virginia |
| 1. Alabama | E. Under 16 years |
| 2. Kentucky | 1. Missouri |
| 3. Louisiana | 2. South Carolina |
| 4. Mississippi | 3. West Virginia |
| 5. North Carolina | F. Under 18 years |
| 6. Tennessee | 1. Texas |

It is interesting that here, as in the case of rape by force and against the consent of the victim, almost all of the states providing a death sentence are Southern states. In addition, all the states listed above also permit a penalty of death for rape committed against the will and consent of the female victim.²⁵

(2) LIFE SENTENCES

Life sentences, or their equivalent,²⁶ are permissible in a total of 30 states, eight of which so provide whenever the child is under the age of 18 years,²⁷ and eight²⁸ do so when the minor is under 16 years of age.²⁹ It is significant that in only 13 states is it possible to escape after conviction with a fine as the sole penalty.³⁰

23. Ala., Ark., Conn., Ill., Ind., Iowa, Me., Md., Mass., Mich., N. C., N. H., N. J., N. M., Ohio, Ore., Pa., S. C., Vt., Va., W. Va. See Figure II.

24. See Figure II.

25. See note 5 *supra*.

26. See note 8 *supra*.

27. Ariz., Colo., Idaho, Mont., Nev., N. D., Tex., Wyo. See Figure II.

28. Ill., Iowa, Mass., Mich., Mo., N. C., N. M., W. Va. See Figure II.

29. The rest of the total breaks down as follows: Under 15 years of age: Wash. Under 14: Me., Md., Okla., and Va. Under 13: Utah. Under 12: Ala., Ind., Miss., Tenn. Under 10: Fla., Minn., N. M., S. D. Under 7: Del. See Figure II.

30. Conn., Fla., Ga., Ky., Me., Md., Miss., Mo., N. C., N. J., Pa., Vt., Wis. See Figure II.

FIGURE III (Continued)

30. N.J.	\$1,000* and/or 21 yrs.*	40. Tenn.	5-15 yrs.
31. N.M.	1 yr.† and/or \$1,000†	41. Tex.	2-15 yrs.
32. N.Y.	20 yrs.*	42. Utah	3-20 yrs.
33. Ohio	1-20 yrs.	43. Vt.	No crime
34. Okla.	10 yrs.*	44. Va.	1-3 yrs.
35. Ore.	1-15 yrs.	45. Wash.	10 yrs.*
36. Pa.	10 yrs.* and/or \$5,000*	46. W.Va.	1-10 yrs.
37. R.I.	7-20 yrs.	47. Wis.	1-5 yrs.
38. S.C.	5 yrs. and/or \$500†	48. Wyo.	5 yrs.* or 1 yr.* county jail
39. S.D.	10 yrs.*		

*Maximum penalty.

†Minimum penalty.

SOSOS

FIGURE III (Continued)

30. N.J.	\$1,000* and/or 21 yrs.*	40. Tenn.	5-15 yrs.
31. N.M.	1 yr.† and/or \$1,000†	41. Tex.	2-15 yrs.
32. N.Y.	20 yrs.*	42. Utah	3-20 yrs.
33. Ohio	1-20 yrs.	43. Vt.	No crime
34. Okla.	10 yrs.*	44. Va.	1-3 yrs.
35. Ore.	1-15 yrs.	45. Wash.	10 yrs.*
36. Pa.	10 yrs.* and/or \$5,000*	46. W.Va.	1-10 yrs.
37. R.I.	7-20 yrs.	47. Wis.	1-5 yrs.
38. S.C.	5 yrs. and/or \$500†	48. Wyo.	5 yrs.* or 1 yr.* county jail
39. S.D.	10 yrs.*		

*Maximum penalty.

†Minimum penalty.

AGE OF CONSENT IN 1951 (covers not just “rape” but age for marriage)

23 states age of consent is 18 years old,

26 states age of consent is 16 years old,

In Georgia the age of consent is 14 years old,

In Delaware the age of consent is 7 years old,

In Tennessee the age of consent is 21 years old.

The opening paragraph in Bensing’s report identifies the legal power of Kinsey as his false data percolated through the law making system.

Twenty-three state statutes provide that if the minor is under 18 years of age *consent is no defense*, and 21 states set 16 years as the age at which consent will bar prosecution under such statute.”

POSSIBLE DEATH IN STATUTORY RAPE IN 16 STATES, LIFE IN 30 STATES Under 18 Consent is No Defense

STATUTORY RAPE

1. Ala.	Under 12, 10 yrs. to death; 12-16 yrs. of age, 2-10 yrs.	24. Mont.	Under 18, 2-99 yrs.
2. Ariz.	Under 18, 5 yrs. to life	25. Neb.	Under 18, 3-20 yrs.
3. Ark.	Under 16, 1-21 yrs.	26. Nev.	Under 18, 5 yrs. to life
4. Cal.	Under 18, 1-50 yrs.	27. N.C.	Under 12, death; under 16, fined or imprisoned in court’s discretion.
5. Colo.	Under 18, 3 yrs. to life	28. N.D.	Under 18, not less than 1 yr.
6. Conn.	Under 16, 30 yrs.* and/or \$1,000	29. N.H.	Under 16, 30 yrs.*
7. Del.	Under 7, life or death	30. N.J.	Under 12, 30 yrs.* and/or \$5,000*; under 16, 15 yrs.* and/or \$2,000.*
8. Fla.	Under 10, life or death or any term of years; under 18, 10 yrs.* or \$2,000*	31. N.M.	Under 10, life; under 16, 1-99 yrs.
9. Ga.	Under 14, death or 1-20 yrs.; or a misdemeanor if jury recommends, \$1,000* or 6 mths.*	32. N.Y.	Under 18, 10 yrs.*
10. Idaho	Under 18, 1 yr. to life	33. Ohio	Under 16, 1-20 yrs.; or 6 mths. county jail
11. Ill.	Under 16, 1 yr. to life	34. Okla.	Under 14, 15 yrs. to death; under 18, 1-15 yrs.
12. Ind.	Under 12, life; under 16, 2-21 yrs.	35. Ore.	Under 16, 3-20 yrs.
13. Iowa	Under 16, 5r. to life	36. Pa.	Under 16, \$7,000* and/or 15 yrs.*
14. Kan.	Under 18, 1-21 yrs.	37. R.I.	Under 16, 15 yrs.*; under 18, 5 yrs.*
15. Ky.	Under 12, death, or 20-50 yrs.; under 16, 5-20 yrs.; under 18, 2-10 yrs., unless prosecutrix immoral, \$500*	38. S.C.	Under 16, death, unless if mercy asked and victim over 10 but under 16, 14 yrs.*; or over 14 but un- der 16, 5 yrs.*
16. La.	Under 12, death; 12-17 yrs. of age, 5 yrs.*	39. S.D.	Under 10, not less than 10 yrs.; under 18, 20 yrs.*
17. Me.	Under 14, any term of years; under 16, \$500* or 2 yrs.*	40. Tenn.	Under 12, life, death, or not less than 10 yrs.; under 21, 3-10 yrs.
18. Md.	Under 14, life, death, or 18 mths. to 21 yrs.; under 16, 2 yrs.* and/or \$500*	41. Tex.	Under 18, life, death, or any term not less than 5 yrs.
19. Mass.	Under 16, life, or any term		

RAPE LAWS ALLOWED DEATH IN 18 STATES, LIFE IN 29

RAPE

- | | | | |
|-----------|---|-----------|--|
| 1. Ala. | 10 yrs. to death | 27. N.C. | Death |
| 2. Ariz. | 5 yrs. to life | 28. N.D. | Not less than 1 yr. |
| 3. Ark. | Life or death | 29. N.H. | 30 yrs.* |
| 4. Cal. | 50 yrs.* | 30. N.J. | \$5,000* and/or 30 yrs.* |
| 5. Colo. | 3 yrs. to life | 31. N.M. | 1-99 yrs. |
| 6. Conn. | 30 yrs.* | 32. N.Y. | 20 yrs.* |
| 7. Del. | Life or death | 33. Ohio | 3-20 yrs. |
| 8. Fla. | Life, death, or any term of yrs. | 34. Okla. | 15 yrs.† to death |
| 9. Ga. | Death, or 1-20 yrs. if mercy recommended | 35. Ore. | 3-20 yrs. |
| 10. Idaho | 1 yr. to life | 36. Pa. | \$7,000 and/or 15 yrs.* |
| 11. Ill. | 1 yr. to life | 37. R.I. | 5 yrs.* |
| 12. Ind. | 2-21 yrs. | 38. S.C. | Death, or if mercy is recommended, 5-40 yrs. |
| 13. Iowa | 5 yrs. to life | 39. S.D. | 10 yrs.† |
| 14. Kan. | 5-21 yrs. | 40. Tenn. | Death, life, or not less than 10 yrs. |
| 15. Ky. | 10-20 yrs., or by life or death | 41. Tex. | Death, life, or not less than 5 yrs. |
| 16. La. | Death | 42. Utah | Not less than 5 yrs. |
| 17. Me. | Any term of yrs. | 43. Vt. | 20 yrs.* and/or \$2,000* |
| 18. Md. | Life, death, or 18 mths. to 21 yrs. | 44. Va. | Death, life, or any term not less than 5 yrs. |
| 19. Mass. | Life, or for any term of yrs. | 45. Wash. | 5 yrs.† |
| 20. Mich. | Life, or any term of yrs. | 46. W.Va. | Life or death, or 5-20 yrs. if mercy recommended |
| 21. Minn. | 7-30 yrs. | 47. Wis. | 1-30 yrs.; if female a prostitute, 1-7 yrs. |
| 22. Miss. | Life or death | 48. Wyo. | 1 yr. to life |
| 23. Mo. | Death, or not less than 2 yrs. | | |
| 24. Mont. | 2-99 yrs. | | |
| 25. Neb. | 3-20 yrs. | | |
| 26. Nev. | 5 yrs. to life. If committed with extreme cruelty, 20 yrs. to death | | |

* Maximum sentence or fine.

† Minimum.

SODOMY

- | | | | |
|-----------|--------------------------------------|-----------|-------------------------|
| 1. Ala. | 2-10 yrs. | 15. Ky. | 2-5 yrs. |
| 2. Ariz. | 1-5 yrs. | 16. La. | 5 yrs.* and/or \$2,000* |
| 3. Ark. | 5-21 yrs. | 17. Me. | 1-10 yrs. |
| 4. Cal. | 1-10 yrs. Committed orally, 15 yrs.* | 18. Md. | 1-10 yrs. |
| 5. Colo. | 1 yr. to life | 19. Mass. | 20 yrs.* |
| 6. Conn. | 30 yrs.* | 20. Mich. | 15 yrs.* |
| 7. Del. | 3 yrs.* and \$1,000* | 21. Minn. | 20 yrs.* |
| 8. Fla. | 20 yrs.* | 22. Miss. | 10 yrs.* |
| 9. Ga. | Life; bestiality, 5-20 yrs. | 23. Mo. | 2 yrs.† |
| 10. Idaho | 5 yrs.† | 24. Mont. | 5 yrs.† |
| 11. Ill. | 1-10 yrs. | 25. Neb. | 20 yrs.* |
| 12. Ind. | \$100-\$1,000 and/or 2-14 yrs. | 26. Nev. | 5 yrs. to life |
| 13. Iowa | 10 yrs.* | 27. N.C. | 5-60 yrs. |
| 14. Kan. | 10 yrs.* | 28. N.D. | 1-10 yrs. |
| | | 29. N.H. | No crime |

* Maximum penalty.

† Minimum penalty.

31. Idaho, Mo., Mont., N. C., N. M. See Figure III.

32. Va., Del.

33. Ariz., Ky., La., S. C., Wis., Wyo.

34. Ala., Cal., Ill., Iowa, Kan., Me., Md., Miss., N. D., Okla., Pa., S. D., Wash., W. Va.

35. Ind. (14 yrs.), Mich., Ore., Tenn., Tex.

36. Fla., Mass., Minn., Neb., N. Y., Ohio, R. I., Utah.

37. Ind., La., N. J., N. M., Pa., S. C.

38. Idaho, Mo., Mont., N. M., Colo., Nev., Ga., N. C. are the eight states. See Figure III.

FIGURE III (Continued)

30. N.J.	\$1,000* and/or 21 yrs.*	40. Tenn.	5-15 yrs.
31. N.M.	1 yr.† and/or \$1,000†	41. Tex.	2-15 yrs.
32. N.Y.	20 yrs.*	42. Utah	3-20 yrs.
33. Ohio	1-20 yrs.	43. Vt.	No crime
34. Okla.	10 yrs.*	44. Va.	1-3 yrs.
35. Ore.	1-15 yrs.	45. Wash.	10 yrs.*
36. Pa.	10 yrs.* and/or \$5,000*	46. W.Va.	1-10 yrs.
37. R.I.	7-20 yrs.	47. Wis.	1-5 yrs.
38. S.C.	5 yrs. and/or \$500†	48. Wyo.	5 yrs.* or 1 yr.* county jail
39. S.D.	10 yrs.*		

*Maximum penalty.

†Minimum penalty.

D INCEST

MAXIMUM PENALTIES

1. 3 years.....	1 State ⁴¹	6. 20 years.....	4 States ⁴⁶
2. 5 years.....	3 States ⁴²	7. 21 years.....	3 States ⁴⁷
3. 7 years.....	4 States ⁴³	8. 25 years.....	1 State ⁴⁸
4. 10 years.....	21 States ⁴⁴	9. 50 years.....	2 States ⁴⁹
5. 15 years.....	3 States ⁴⁵		
		Total	42 States

- | | | | |
|-----------|---|-----------|--|
| 36. Pa. | 3 yrs.* and/or \$1,000* | 42. Utah | No crime |
| 37. R.I. | 5 yrs.* | 43. Vt. | No crime |
| 38. S.C. | Misdemeanor, punishable at discretion of court | 44. Va. | 2-10 yrs. |
| 39. S.D. | 5 yrs.* and/or \$1,000*, or 1 yr.* county jail and/or \$1,000 | 45. Wash. | 5 yrs.* and/or \$1,000*, or 1 yr.* county jail and/or \$1,000* |
| 40. Tenn. | No crime | 46. W.Va. | No crime |
| 41. Tex. | 2-10 yrs. | 47. Wis. | 1-5 yrs., or 1 yr.* county jail |
| | | 48. Wyo. | 5 yrs.* or 1 yr.* county jail |

*Maximum penalty.

F. ADULTERY

Adultery, although expressly forbidden by the Sixth Commandment, is not punished at all in Louisiana, New Mexico, and Tennessee, and 13 states view single, isolated acts involving a spouse as outside the purview of state concern. These states penalize only those persons "living in," or "cohabiting in" a state of adultery.⁶¹

(1) PRISON TERMS UPON CONVICTION

It is interesting that Maine and Vermont provide two of the four greatest penalties upon conviction of adultery. Maine decrees a maximum five year or a maximum \$1,000 punishment, and Vermont a five year, and/or a maximum \$1,000 penalty. Connecticut also provides a maximum penalty of five years, and Oklahoma sets the same maximum term, or a fine of \$500, or both. No state has seen fit to provide a penitentiary term of more than five years' duration, and a total of eight jurisdictions set only a six month maximum sentence.⁶² Ohio and Wyoming, however, consider incarceration for no longer than three months as adequate retribution.

SEDUCTION

- | | |
|---|---|
| <p>1. Ala. 1-10 yrs.
 2. Ariz. 1-5 yrs.
 3. Ark. 1-10 yrs. and \$5,000*
 4. Cal. 5 yrs.* and/or \$5,000*
 5. Colo. 10 yrs.*
 6. Conn. 5 yrs.* and \$1,000*
 7. Del. No crime
 8. Fla. No crime
 9. Ga. 2-20 yrs.
 10. Idaho No crime
 11. Ill. \$1,000-\$5,000 and/or 1 yr.*
 12. Ind. 6 mths.-5 yrs. and \$100-\$500
 13. Iowa 5 yrs.*, or \$1,000* and 1 yr.* county jail
 14. Kan. No crime
 15. Ky. 1-5 yrs.
 16. La. No crime
 17. Me. No crime
 18. Md. No crime
 19. Mass 3 yrs.* and/or \$1,000
 20. Mich. 5 yrs.* or \$2,500*
 21. Minn. 5 yrs.* and/or \$1,000*</p> | <p>22. Miss. 10 yrs.*, under 18; 5 yrs.* over 18
 23. Mo. 2-5 yrs., or \$1,000* and 1 yr.* county jail
 24. Mont. 5 yrs.* and/or \$5,000*
 25. Neb. 6 mths.-5 yrs. penitentiary, or 6 mths.* county jail
 26. Nev. No crime
 27. N.C. 5 yrs.* or fined at court's discretion
 28. N.D. 1-5 yrs., or 1 yr.* county jail and/or \$1,000*
 29. N.H. No crime
 30. N.J. 7 yrs.* and/or \$2,000*
 31. N.M. 1-3 yrs. and/or \$1,000-\$3,000
 32. N.Y. 5 yrs.* and/or \$1,000*
 33. Ohio 6 mths.-3 yrs.
 34. Okla. 5 yrs.* and/or \$1,000*, or 1 yr.* county jail and/or \$1,000*
 35. Ore. 1-5 yrs., or 3 mths.-1 yr. county jail, or \$500-\$1,000</p> |
|---|---|

55. Del., Fla., Idaho, Kan., La., Me., Md., Nev., N. H., Tenn., Utah., Vt., and W. Va. do not have seduction statutes.

56. States imposing a 10 year maximum sentence total 6. They are: Ala., Ark., Colo., Tex., Va., and Miss. if "female" is under 18 yrs. of age. New Jersey prescribes a maximum term of 7 years.

57. Ariz., Cal., Conn., Ind., Iowa, Ky., Mich., Minn., Miss. (female over 18 yrs. of age), Mo., Mont., Neb., N. C., N. D., N. Y., Okla., Ore., R. I., S. D., Wash., Wis., and Wyo.

58. See Figure V.

59. Mass., N. M., Ohio, and Pa. See Figure V.

60. Cal., Ill., Mass., Mich., Minn., Mont., N. C., N. D., N. J., N. M., N. Y., Okla., Ore., Pa., S. C., S. D., Wash.

- | | | | |
|-----------|---|-----------|--|
| 36. Pa. | 3 yrs.* and/or \$1,000* | 42. Utah | No crime |
| 37. R.I. | 5 yrs.* | 43. Vt. | No crime |
| 38. S.C. | Misdemeanor, punishable at discretion of court | 44. Va. | 2-10 yrs. |
| 39. S.D. | 5 yrs.* and/or \$1,000*, or 1 yr.* county jail and/or \$1,000 | 45. Wash. | 5 yrs.* and/or \$1,000*, or 1 yr.* county jail and/or \$1,000* |
| 40. Tenn. | No crime | 46. W.Va. | No crime |
| 41. Tex. | 2-10 yrs. | 47. Wis. | 1-5 yrs., or 1 yr.* county jail |
| | | 48. Wyo. | 5 yrs.* or 1 yr.* county jail |

*Maximum penalty.

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FORNICATION

- | | |
|--|---|
| <p>1. Ala. Single act, no crime
Cohabitation:
1st conviction, \$100† and
/or 6 mths.*
2nd conviction, \$300† and
/or 1 yr.*
3rd conviction, 2 yrs.</p> <p>2. Ariz. Single act, no crime
Cohabitation: 3 yrs.*</p> <p>3. Ark. Single act, no crime
Cohabitation:
1st conviction, \$20-\$100
2nd conviction, \$100† and
/or 12 mths.*
3rd conviction, 1-3 yrs.</p> | <p>4. Cal. No crime</p> <p>5. Colo. Single act, no crime
Cohabitation:
1st conviction, \$200* or 6
mths.*
2nd conviction, double
3rd conviction, treble</p> <p>6. Conn. \$100 and/or 6 mths.*</p> <p>7. Del. No crime</p> <p>8. Fla. 3 mths.* or \$30*</p> <p>9. Ga. \$1,000* or 6 mths.*</p> <p>10. Idaho \$300* and/or 6 mths.*</p> |
|--|---|

* Maximum penalty.

80. Neb., Ohio, Wyo. See Figure VII.

81. The Virginia and West Virginia statutes provide only that the offense of fornication be punished with a fine of not less than \$20. See Figure VII.

82. Ore., S. C., and Tex. See Figure VII.

83. Idaho. See Figure VII.

84. Conn., Me., Minn., N. D., Pa., Utah, and Wis. See Figure VII.

85. N. H., N. J., and Ky. impose maximum fines of \$50; Fla. and Mass., fines of \$30. See Figure VII.

86. See Figure VII.

87. Kan., Mo., and Nev. See Figure VII.

88. Ill., Ind., Miss., and Mont. See Figure VII.

89. In between the \$500 penalty and the \$100 penalties, are fines of \$200 imposed by Colorado and Ohio, and one of \$300 imposed by Maine. See Figure VII.

FIGURE VII (Continued)

11. Ill.	Single act, no crime Cohabitation: 1st conviction, \$500* or 1 yr.* 2nd conviction, double 3rd conviction, treble	27. N.C.	Single act, no crime Cohabitation: punishable as a misdemeanor at common law
12. Ind.	Single act, no crime Cohabitation: \$500 and/or 6 mths., or both	28. N.D.	\$100* and/or 30 days*
13. Iowa	No crime	29. N.H.	\$50* or 6 mths.*
14. Kan.	Single act, no crime Cohabitation: \$500-\$1,000, or 30 days-3 mths.	30. N.J.	\$50* and/or 6 mths.*
15. Ky.	\$20-\$50	31. N.M.	No crime
16. La.	No crime	32. N.Y.	No crime
17. Me.	\$100 and 60 days	33. Ohio	Single act, no crime Cohabitation: \$200* and 3 mths.*
18. Md.	No crime	34. Okla.	No crime
19. Mass.	3 mths.* or \$30*	35. Ore.	\$50-\$500 or 1-5 yrs. or 1 mth.-1 yr. county jail
20. Mich.	No crime	36. Pa.	\$100*
21. Minn.	90 days* or \$100*	37. R.I.	\$10*
22. Miss.	Single act, no crime Cohabitation: \$500* and/or 6 mths.*	38. S.C.	\$100-\$500 and/or 6 mths.-1 yr.
23. Mo.	Single act, no crime Cohabitation: 1 yr.* and/or \$1,000*	39. S.D.	No crime
24. Mont.	Single act, no crime Cohabitation: \$500* and/or 6 mths.*	40. Tenn.	No crime
25. Neb.	Single act, no crime Cohabitation: \$100* and 6 mths.*	41. Tex.	\$50-\$500
26. Nev.	Single act, no crime Cohabitation: 6 mths.-1 yr. and/or \$500-\$1,000	42. Utah	\$100* or 6 mths.*
		43. Vt.	No crime
		44. Va.	\$20†
		45. Wash.	No crime
		46. W.Va.	\$20†
		47. Wis.	6 mths.* and/or \$100*; with chaste minor, 4 yrs.* and/or \$200*
		48. Wyo.	Single act, no crime Cohabitation: \$100* and 3 mths.*

* Maximum penalty.

CONCLUSION

In conclusion, it seems undeniable that much of our sex law is incomplete and lacking in reality; that the differences from state to state are bewildering and incomprehensive, and that a study of the field of sex regulation indicates the need for improvement.

Before the administration and enforcement of our sex laws can function satisfactorily, the substantive law itself must be fitted to present-day needs. Statute revision committees in every state, therefore, might well appraise their laws and those of their sister states, with a view toward alleviating the divergence.