

TESTIMONY OF PHILLIP COSBY  
AMERICAN FAMILY ASSOCIATION OF KANSAS AND MISSOURI  
KANSAS HOUSE CORRECTIONS & JUVENILE JUSTICE COMMITTEE  
**SB 92**

Chairman Rubin and honorable members of the Corrections and Juvenile Justice Committee, my name is Phillip Cosby. I am a native of Kansas and currently the American Family Association State Director for Kansas and Missouri. I am honored to have the privilege to speak to you in support of **SB 92** regarding the reporting of pornographic materials during investigations of sexual crimes.

**SB 92** to my knowledge, for the first time, will provide for collection of data to quantify and connect the dots between pornographic materials and criminal behavior. Such data will either affirm or refute the anecdotal observations, debates and speculations that range from “pornography is just harmless fun” to “pornography is the fuel that acts as a catalyst for fantasy driven criminal behavior”.

These past ten years I have spoken to thousands of Kansans citizens and civic officials concerning the negative effects of Sexually Oriented Businesses (SOBs) in communities. The evidence of harm is not anecdotal; the lawful regulation of the sex industry is based on measurable toxic effects on communities. The right of communities to regulate SOBs has been constitutionally upheld for over thirty years. The documented effects are primarily increased crime, increased STD's, blight, property devaluation, prostitution, human trafficking and drug trafficking. One judge recently commented “it is not just the evidence of negative effects, it is common sense.”

The KC Star story put forth a piercing question asking how Kelsey Smiths killer went from juvenile delinquent to rapist and murderer. *Motive May Never Be Known, Questions Remain*” *KC Star Sep. 15<sup>th</sup>* The article turned a blind eye to the obvious. Not one time in this story and question was the elephant in the room of cause and effect of an addiction to sexualized materials weighted.

I asked the Johnson County prosecutor, during their investigations, as to what they found in the way of sexualized materials that could have contributed to fuel the impulse to act out such a criminal fantasy. The prosecutor was genuinely interested in the question but stated that it was not in their rubric to look for and document such corroborative evidence. In my conversations with most experienced law enforcement personnel and convicted sex offenders they generally agree that the influence of pornography is a major factor in deviant behavior.

***“Pornography is the fuel that acts as a catalyst for fantasy-driven criminal behavior.”*** *Vernon J. Geberth, retired Lt. Commander of the NYPD*

The abduction, sexual assault and murder of Kelsey Smith of Johnson County, Jodi Sanderhold of Arkansas City, Alicia DeBolt of Great Bend...motives unknown? The toxic effects of highly sexualized materials is striking in its comparisons with the tobacco debates in denial and effects.

It is cause and effect: garbage in, garbage out. We can't afford to be indifferent, in denial or dismiss as harmless fun the pervasive flood of highly sexualized materials now exacerbated by emerging handheld communication technologies. The pornification of America has changed everything.

We all sense it. Every day the news relays the latest heartbreaking story of random violence, abductions, child molestations, human trafficking, solicitations, and sexual misconduct at the highest levels of sacred and secular trust. Urban blight, rising STD rates, fantasy driven sexual assaults, rape and murder are numbing. Our sense of safety, wholesomeness and innocence is evaporating. When you and I were in grade school we played freely with our friends on Saturdays in our neighborhoods and beyond. Our parents did not have to be unduly fraught with concerns for our personal safety. For us, the general rule was, when those street lights flicker on you better be home. Those days of experiencing such freedom and safety are long since gone for today's children. Outside of organized and supervised sports, where are those groups of playful youngsters today?

Legislative bodies on many levels are behind the curve in recognizing and reacting to the cause and effect relationship of the sex industry on individual lives. The ease of accessibility to highly sexualized images by emerging technologies is exacerbating this growing public safety and health crisis.

This is a real pocketbook issue. In Kansas prisons it is estimated that one third of the inmates are incarcerated for sexual crimes at a cost of \$30,000 annually per prisoner. As a matter of good common sense KDOC policy inmates are not allowed access to pornographic materials. You can't raise enough taxes, build enough prisons and buy enough ankle bracelets for this toxic tsunami. Ladies and gentlemen what we have is an epidemic and we must act. At the very least we can quantify the question. **SB 92** is a compelling governmental interest.

In 2011 this bill passed unanimously out of the Kansas House Judiciary Committee and enjoyed a 119-2 vote on the House floor. That bill never made it to the Senate floor in 2011.

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Supporting Documents:

CD of the 214 page report "*Adult Pornography and Child Sexual Exploitation*" Robert Peters Booklet. "*Social Costs of Pornography*" Witherspoon Institute