

Illinois legislators should copy Louisiana and other states and protect kids from online pornography

By Jeffery M. Leving SM

In June of 2022, a freshman legislator in Louisiana's House of Representatives became the first lawmaker in the country to pass a law that is changing the online porn industry.

The law, introduced by Louisiana Rep. Laurie Schlegel, protects kids from online porn websites by holding the sites liable unless the sites “perform reasonable age verification methods” — in short, requiring users to show a government ID to prove they are 18 or older. The bill sailed through the Louisiana House 96-1 and the State Senate 34-0.

Since then, nearly identical bills have passed in six other states — Arkansas, Montana, Mississippi, Utah, Virginia and Texas — by similarly lopsided margins. In Utah and Arkansas, the bills passed unanimously. The laws were passed by overwhelming margins in legislatures controlled by both parties and signed into law by Democratic and Republican governors alike. In just over a year, age-verification laws have become perhaps the most bipartisan policy in the country, but sadly, there does not seem to be an effort in Illinois to enact similar legislation.

“Pornography is creating a public health crisis and having a corroding influence on minors,” asserts the bill that state Rep. Laurie Schlegel introduced.

Many experts believe that childhood exposure to pornography is one of many things negatively affecting the minds of Gen Z. Anxiety is mounting around the country over the devastating and humiliating mental health crisis afflicting the generation.

As the Louisiana law states, “Pornography may also impact brain development and functioning, contribute to emotional and medical illnesses, shape deviant sexual arousal, and lead to difficulty in forming or maintaining positive, intimate relationships, as well as promoting problematic or harmful sexual behaviors and addiction.”

These laws are having real effects on how the massive online porn industry does business, according to published reports. Pornhub, a pornography site, gets more global users than Amazon or Netflix. In 2019, the last year Pornhub released its data, the site was visited 42 billion times, or 115 million times each day.

Pornhub verifies the age of the half a million people who upload content on its site, a policy it implemented following a Nicholas Kristof piece in the *New York Times*

exposing how the website was repeatedly hosting videos of minors being raped, which inspired Visa and MasterCard to stop processing payments on the site. But the site does not verify the ages of the *billions* of people who use the site and with the exception of Louisiana, it doesn't plan to start. Rather than ask users to upload their government-issued identification, Pornhub is simply choosing not to offer service at all in Louisiana, citing issues of unconstitutionality, ineffectiveness and privacy risks.

Lawsuits have been filed by the porn industry's trade association, the Free Speech Coalition, against Utah and Louisiana, but in the meantime, porn companies have had no choice but to comply with the laws. According to Ethical Capital Partners, the private equity company that owns Pornhub, traffic in Louisiana has dropped 80 percent.

In the other three states where the laws have been in effect for months — Utah, Mississippi, and Virginia — Pornhub did something even more unprecedented: It simply stopped operating.

The Free Speech Coalition, the trade group for the adult industry, has already sued Louisiana and Utah, and the rest of the states might be next — although the case in Utah was recently dismissed by a federal judge.

I believe the group's contention, which is supported by the ACLU, that this is First Amendment protected speech is flawed because the laws are not curtailing what is on the porn websites. Rather, the laws are saying that the websites must verify that all visitors to the sites are over 18 years of age.

The \$100 billion pornography industry argues that the age restrictions aren't effective because people can still use virtual private networks, which mask a computer or smartphone's true location, or the users can just access non-compliant websites. While this may be true for some kids that are determined to visit porn sites, the vast majority, especially younger kids, will likely find it too time consuming and simply not worth the effort.

To quote an analogy used by one proponent of the legislation, there are ways for under-21-year-olds to get their hands on liquor, but it doesn't mean you shouldn't pass underage drinking laws.

Since Louisiana created the law, six states have followed and 16 more have introduced similar or nearly identical bills. Sadly, Illinois is not one of them, at least not yet.

Legislators in Illinois need to realize that this is an important issue that protects children and take action. They also should realize that this is not a controversial

issue with voters. In fact, according to research from the socially conservative think tank American Principles Project, 85 percent of the public support these laws.

Put simply, any laws restricting children from accessing online pornography sites are common sense laws and should be passed here in Illinois.

Attorney Jeffery M. Leving is the recipient of President Biden's 2023 Presidential Lifetime Achievement Award.

Leving, who has dedicated his career to safeguarding children and reuniting them with their fathers, has written three acclaimed books: "Fathers' Rights," "Divorce Wars" and "How to be a Good Divorced Dad," the latter of which was praised by President Obama and by Cardinal Francis E. George, then the Archbishop of Chicago. Follow Jeffery M. Leving on Facebook and X @DadsRights.