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## Act Now: Contact Committee Members, Immediately

### S.B. 304 On Committee Agenda March 8<sup>th</sup> at 1:00 p.m., Room 307 LOB

S.B. 304 is this year's first attempt to decriminalize juvenile prostitution, masturbation for hire and juvenile participation in pornography. Republican Senators Renee Unterman and Jack Murphy stood alone to introduce S.B. 304 January 12, 2010, with no other co sponsor, possibly, due to its drastic departure from moral standards set by society and the vast majority of parents.

If S.B. 304 had passed as initially introduced, any child under age 16 could freely earn money in prostitution, masturbation for hire and pornography. They could not be arrested or charged for a crime, because those behaviors wouldn't be illegal for them until their 16<sup>th</sup> birthday.

When S.B. 304 met with strong opposition from conservative activists who publicized the problems in her bill, Senator Unterman produced a far *broader and much worse* substitute. She (a) removed from criminal law three acts, if committed by juveniles – prostitution, masturbation for hire and pornographic involvement. Then, (b) redefined such acts by juveniles as "sexual exploitation" and (c) added that term to behaviors defining an "unruly child." Thus, indicating that working in those illegal professions would be no more serious than skipping school.

But, there's more to S.B. 304. By redefining each underage sex worker as an "unruly child," assumed to be a victim of sexual exploitation, juveniles engaging in prostitution, masturbation for hire and pornography would be (d) eligible for victim compensation payments. Not only could juvenile sex workers freely work without legal restriction or penalty, they could become (e) eligible for double payment for doing so – once by the john, who's the client, and again by the state's victim compensation fund, that dispenses thousands of dollars to victims of crime.

**ACTION – Oppose. Before 1:00 p.m. Monday, call these Judiciary Committee Senators:** Smith, Ch., 404 656-0034; Harp, 463-3931; Hamrick, 656-0036; Adelman, 463-1376; Brown, 656-5035; Cowser, 651-7738; Crosby, 463-5258; Fort, 656-5091; Judson Hill, 656-0150; Ramsey, 463-2598; Seabaugh, 656-6446; and Wiles 657-0406. **Caution:** If this passes the House and a similar bill passes the Senate, they could be combined into a massive bill in conference committee.

**H.B. 582** was introduced quietly on February 26, 2009 to remove all penalties for anyone under age 18 who works in prostitution, masturbation for hire and pornography. If this had become law, pimps could have used this past year to stock their stables with juvenile sex workers, while porn peddlers could have freely hired an unlimited number of minors who would never be taken into custody by police or arrested or charged for behavior that's currently illegal.

H.B. 582 was assigned to the House Non Civil Judiciary Committee, where it remains with bipartisan support. Although Republican Representative Wendell Willard is the primary sponsor, three other Republicans joined him – Ed Lindsey, Judy Manning and Mark Hamilton – along with Democrat Representatives DuBose Porter and Mary Margaret Oliver.

**ACTION – Oppose both H.B. 582 and H.B. 1256 outlined on page 2.** Call Non Civil Judiciary Representatives Golick, Ch., 404 656-5943; Hatfield, 656-0109; Levitas, 656-0202; Abdul-Salaam, 656-0325; Abrams, 656-0220; Bearden, 656-0287; Byrd, 656-0298; Cole, 651-7737; Collins, 656-0188; Cooper, 656-5069; Everson, 656-0188; Franklin, 656-0152; Knox, 656-0188; Lunsford, 656-0213; Mangham, 656-0127; Ramsey, 651-7737; Randall, 656-0109; Setzler, 656-0177; Stuckey Benfield, 656-7859; Thompson, 656-6377.

### ***Three Prostitution Bills ... So Far***

Georgia's three juvenile prostitution bills are based on assumptions that juvenile prostitutes and minors in other sex-drenched jobs are victims and, as such, should receive victim compensation money. While some under-age prostitutes may be victims, others are not. In either case, to remove legal barriers between juveniles and the sex trade and award compensatory funds to willing sex workers, however young, would be blunders with massive adverse repercussions.

Some say juveniles shouldn't be saddled with arrest records for stumbling into illegal behavior. But that argument is easily dismissed when discussing minors who inadvertently break sex crime laws. Georgia's First Offender Act allows minors to be sentenced to probation and their charges sealed, if probation is successfully completed. However, a second arrest and conviction during probation means a guilty judgment for both offenses, plus a police record.

***The Latest: H.B. 1256 Decriminalizes Kiddie Prostitution, Sends the Kids to Foster Care***  
**H.B. 1256** is in the House Hopper for introduction March 8<sup>th</sup>. It's Georgia's third and latest bill to remove any stigma or penalty from minors who engage in three illegal sexual behaviors – prostitution, masturbation for hire and pornography. The bill's sponsors: Representatives Judy Manning and Ed Lindsey (both Republicans) and Representative Pat Gardner (Democrat).

This bill is different from the others. It decriminalizes prostitution for money for anyone under 16, but authorizes the police to pick up any juvenile found committing such an act. The same process is used for the minor who is found engaging in masturbation for hire or pornography. However, the juvenile is not arrested, but is taken by the officer to the county department of family and children services (DFACS), where personnel will determine whether the child is sent home or to foster care. With no mention of a court or judge, DFACS will be in charge.

**ACTION – Oppose. H.B. 1256 can't be officially introduced until March 8<sup>th</sup>, but will likely join H.B. 582 in the House Non Civil Judiciary Committee. Please ask the members to oppose both H.B. 582 and H.B. 1256. Committee names and numbers are on page one under the analysis of H.B. 582.**

#### ***Sex Game Accessible to Minors: Online Game to Entice Potential Prostitutes***

Decriminalization of prostitution is a global initiative that may soon be propagated by an online game for participants of all ages. To read about this insidious strategy to promote the world's oldest profession, read the February 3, 2010 *WorldNetDaily* article, "Online game lets 5-year-old girls play prostitute; aspiring fashion queens choose lingerie, contraceptives, 'clients'."

Necessary to log on: a computer and skill to use it. Players enhance the game by purchasing online items, such as condoms, "antibaby" pills and scanty articles, usually, worn by strippers.

Although the game's producer claims participant age averages 19.1 years, a *WorldNetDaily* player registered as a 5-year-old girl, born February 1, 2005, and was admitted to the game. After the "5-year-old" selected seductive body parts, as featured on a nude cartoon model, the scene shifted to a bedroom, where a nude avatar asked her to choose a lover based on sexual orientation. Soon, she was congratulated for finding a new client in the virtual cocktail bar.

#### ***Votes on Prostitution Bills will be Remembered in November***

*Why do legislators think Georgia is ripe for giving minors freedom to become sex workers? The global effort to decriminalize juvenile prostitution, masturbation for hire and pornography was never tried in Georgia – until the 2009 session and again this year. What's changed?*

## ***The Battle Over the Fall School-Start Date***

**Background.** In 2005, with a we-know-better-than-you attitude, House Education Committee members refused parental pleas to return school-start dates to early fall, although summer heat had taken a deadly toll on practicing athletes. By defeating H.B. 285 in the 2005 session, committee members rejected polls showing over 65-percent support for the parents' request.

The following media polls reported overwhelming popularity for H.B. 285, setting a school-start date for "not earlier than the last Monday in August and not later than the Wednesday after Labor Day." The *Atlanta Journal-Constitution* reported 68.5% support; *Fayette Citizen News*, 67.4%; *Rome News-Tribune*, 65%; *Clayton News Daily*, 65.4%; BellSouth Web E-Mail, 65%.

A Chamblee Middle School teacher in DeKalb County, where school began August 9<sup>th</sup> in 2004, opposed early starts in a letter to the *AJC*, noting that North Carolina and Virginia had passed similar bills and other states were considering doing so. Of 30 responses, 25 agreed with him.

Mike Dudgeon of Forsyth County said, "It appears that the education establishment has come to a national conclusion that school should be year round. They know that if they were to impose that all at once the people would revolt. Instead they have taken a course of gradually moving the calendar a few days here, a week here.... I feel this is disingenuous, and shows that the Boards need oversight from the Legislature in this area."

**H.B. 1097**, introduced February 8<sup>th</sup> by Representative Matt Dollar requires schools to begin no earlier than the third full week in August. That would (a) acknowledge tax-payer authority over schools, (b) reduce air conditioning bills, (c) lessen heat strokes of practicing athletes, (d) allow students to have summer jobs and (e) please most parents who want the later school-start time.

**ACTION – Support.** Call Education Committee Representatives Coleman, Ch., 404 656-9210; Millar, 656-5064; Benton, 656-0177; England, 463-2247; Ashe, 656-0116; Austin, 656-0287; Battles, 656-0109; Carter, 656-0202; Casas, 656-0254; Dickson, 656-0202; Everson, 656-0188; Floyd, 656-0314; Holt, 656-0152; Jordan, 656-0116; Kaiser, 656-0265; Keown, 656-0177; Lindsey, 656-5024; Massey Reece, 656-7859; Maxwell, 656-0152; Mayo, 656-6372; Morgan, 656-0109; Nix, 656-0177; Peake, 656-7146; Purcell, 656-0188; Reese, 656-0254; Sellier, 656-0254; Setzler, 656-0177; Kip Smith, 656-0213; Talton, 656-0254; Taylor, 656-0220; Teilhet, 656-0568; Thomas, 656-0325; and "Coach" Williams, 656-0202.

## ***Restoring Gun Rights in Declared Emergencies***

**S.B. 342** introduced February 1, 2010 by Senators Preston Smith, Butterworth, Mullis, Shafer and Pearson would remove the governor's emergency power over gun ownership in Georgia.

If the emergency power law of 2002 is not changed, a declared state of emergency could be used *to suspend or limit the sale, dispensing, or transportation of firearms*, regardless of our freedoms in the *Bill of Rights* and the *Constitution of the State of Georgia*. Though gun control is unconstitutional, no one in Georgia could buy, sell or transport firearms in a declared emergency, unless current law is repealed. This bill would make that change and it must pass.

**ACTION –Support.** Call Judiciary Committee Senators Smith, Ch., 404 656-0034; Harp, 463-3931; Hamrick, 656-0036; Adelman, 463-1376; Brown, 656-5035; Cowser, 651-7738; Crosby, 463-5258; Fort, 656-5091; Judson Hill, 656-0150; Ramsey, 463-2598; Seabaugh, 656-6446; and Wiles 657-0406.

## ***U.S. Supreme Court May Overturn Local Gun Bans***

In 2008 a U.S. Supreme Court decision supported the gun rights of citizens in Washington, D.C. Chicago residents want the same protection for themselves and are asking the court to uphold state and local gun laws across the nation. However, the D.C. decision has prompted hundreds of court challenges concerning various local restrictions, such as the one in Massachusetts that requires gun owners to keep their weapons locked in their homes.

## ***E-Verify Benefits U.S. Workers***

*“Public” as used in this bill means “government.”*

**H.B. 1164**, by Representative Rick Austin, is the latest bill requiring public employers to be sure their employees are in the U.S. legally. “Public employers” are entities that contract with a local, state or federal government to provide workers for taxpayer-funded projects. Public contractors may hire subcontractors, but their workers must be legal U.S. residents, as well.

*Government contracts.* Georgia law currently requires employers seeking government contracts to submit bids that they have signed and have had notarized, affirming that they are authorized to use and will use the federal E-Verify program during the contract period.

H.B. 1164 requires the Georgia Department of Audits and Accounts to get annual compliance reports from state or local agencies, along with a sworn affidavit that their data is accurate. The Commissioner of Labor would annually conduct 200 random audits of public employers and contractors and publish results on the OPEN GEORGIA website by September 30<sup>th</sup>. Violating *agencies* would be dropped off the list of qualified local governments and forfeit ten percent of their state funding for the year. Violating *contractors* could not enter into or bid on a public contract during the following twelve months.

*Immigration and customs laws.* At least ten peace officers would be trained annually to enforce immigration and customs laws.

*Foreigners in U.S. jails.* Current law requires jailers to verify prisoner citizenship and identify illegal aliens, including any with expired visas. This bill mandates that prisoners so identified must be fingerprinted and a copy sent to the U.S. Department of Homeland Security.

*Disallowed business expense.* Businesses that do not comply with the federal employment eligibility verification system (E-Verify) could not deduct business expenses on state income tax returns, unless they submit annual exemption eligibility reports to the Georgia Department of Audits and Accounts by April 15<sup>th</sup>.

*Illegal aliens would lose more public benefits.* Already, illegal aliens do not qualify for 24 public benefits in Georgia. This bill lists 12 additional benefits Georgia would not provide: airport badges, background investigation reports, cash assistance, child care or child care assistance, commercial licenses, community transportation, county general assistance, farm loans, government badges, homestead exemptions, occupational tax certificates and passports. Before providing services, agencies and political subdivisions must verify applicant eligibility for public benefits. However, eligibility is not required for emergency health care; short-term, non-cash, in-kind emergency disaster relief; immunizations for communicable diseases; soup kitchens, crisis counseling and intervention; and specified short-term shelter.

Agencies providing welfare services would submit annual reports that welfare applicants were proven eligible by U.S. government issued photo IDs and a sworn statement of legal U.S. presence. Violating agencies would have budgets reduced 10 percent for the next fiscal year.

**ACTION – Support.** Call House Judiciary Committee Representatives Willard, Ch., 404 656-5125; Jacobs, 656-0152; Allison, 656-0177; Golick, 656-5943; Wilkinson, 656-8143; Bruce, 656-0314; Crawford, 656-0265; Dobbs, 656-7859; Hatfield, 656-7859; Lane, 656-5087; Lindsey, 656-5024; Maddox, 656-0109; McKillip, 656-0220; Nix, 656-0177; Oliver, 656-0265; O’Neal, 656-5103; Powell, 656-0177; Stephenson, 656-0126; Teilhet, 656-0568; and Weldon, 656-0152.

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