

Porn would automatically be blocked on phones under Utah law

By Jesse O'Neill

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Conservative lawmakers in Utah have advanced a proposal that would automatically block pornography on phones and tablets sold in the state — a move that critics have blasted as unconstitutional.

Gov. Spencer Cox has not publicly indicated if he supports the bill; a spokeswoman said he “will carefully consider” the measure before a March 25 deadline.

Supporters of the state senate proposal claim that restricting explicit material helps parents protect their children — many of whom have their own devices, and are spending more time online during the coronavirus pandemic. Adults would be able to turn off the filters if they chose.

Lawmakers in the majority Mormon state have previously ordered warning labels on pornography, declaring it a “public health crisis” in 2016. Church of Jesus Christ of Latter-day Saints have railed against pornography in a conservative culture that sometimes considers mainstream magazines and lingerie catalogs offensive.

Phone manufacturers and retailers claimed filters would be too difficult to apply in a single state, and successfully lobbied for a provision that would only allow the bill to be enforced if at least five other states follow suit.

If the measure is signed into law, Utah would be the first state to mandate filters on devices. Federal restrictions aimed at preventing children from watching porn in the 1990's were struck down in the courts.

The National Center on Sexual Exploitation said the bill would help parents who have trouble managing filters on their children's devices.

“Utah has passed a critical, common sense solution to help protect vulnerable children from accessing harmful pornographic content on phones and tablets,” Executive Director Dawn Hawkins said in a statement.

“A child that wants to find it and tries to would probably be able to still. It's just one step in the right direction,” said Republican Rep. Susan Pulsipher, the bill's sponsor.

Utah Rep. Susan Pulsipher say the proposal is “just one step in the right direction” to stopping children from having access to pornography. [Lindsay Whitehurst/AP](#)

Pulsipher claims the move doesn't violate free speech rights, because adults can disarm the censors. Some advocates disagree.

“You've basically got the state mandating the filtering of lawful content. That raises immediate First Amendment flags,” said Samir Jain, policy director at the Center for Democracy and Technology, a Washington, D.C.-based internet policy group.

Wording of the bill could apply to any device “activated” in Utah, meaning it could be used to track the location of anyone passing through the state, Jain said.

The filters could also be used to block works of art, educational information and scientific facts about sex, said Mike Stabile, a spokesman for the Free Speech Coalition, an adult-entertainment trade group.

Emily Rothman, a Boston University professor who studied the issue, said that content filters can help protect children from being exposed to graphic images, but comprehensive education is the best tool to promote healthy sexuality. A bill to expand sex-ed in Utah failed to pass in the state legislature this year.

“Parental filters already exist,” said attorney Jason Groth of the American Civil Liberties Union of Utah, “and every Utah parent can decide the level of access for their children.”

With AP wires