

New York v. Farber. "The court's majority, like all general stated the Millard standard for obscenity, like all general definitions of what may be banned as obscene, does not reflect," and this is the important part, senators, "the state's particular and more compelling interest in prosecuting those who promote the sexual exploitation of children." Anything we can do, in other words, to stop the promotion of sexual exploitation of children, the states have greater latitude the U.S. Supreme Court has said. We are not even talking about possession in this amendment. We are talking about purchase. How do we catch purchasers of illicit drugs? We use undercover agents, don't we? What this amendment does is it closes the loopholes, it takes away the loophole for the criminal attorneys to use to get the sexual perverts off the hook. That is the practical effect of the amendment. The Chairman of the Judiciary Committee says this amendment has no practical effect. Well, if you don't get the purchaser, that person who likes to collect these things, what is the purpose of the bill? There is another thing you can think about, using undercover agents for child pornography the same as you do for drug abuse. How familiar are the trial attorneys with plea bargaining? Might you not get one person who purchases one of these filthy, obscene movies and then have that purchaser agree with the local law enforcement officers to give the names of those who may be connected to a child pornography ring, and thereby we would not get just one purchaser but we may take in an entire pornographic group of individuals who would lead us to many missing children, perhaps. You know, it was only in the last two years that the Omaha Police Department assigned a special group to child pornography. In two years they have found between 50 and 60 cases of child pornography and each one took in five to six children, or five to ten children. So in two years, just in Omaha alone, they have come up with 500 to 600 children that were used in child pornography. That is just the ones they know about because they've only started this program two years ago at the Omaha Police Department. So if you don't want to arrest the purchaser...

SPEAKER NICHOL: One minute.

SENATOR HIGGINS: ...then you don't want to try and catch the perverts. Can you imagine any one of the senators on this floor, Senator Wiley Remmers, Senator Labedz, Senator Marsh, Senator Smith, Senator Rod or Vard Johnson wanting to