
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 585 Session of
2002

INTRODUCED BY COY, BUXTON, LEDERER, G. WRIGHT, STABACK, ALLEN,
ARMSTRONG, M. BAKER, BEBKO-JONES, BIRMELIN, BUNT, CLARK,
CORRIGAN, CREIGHTON, DeLUCA, DERMODY, FICHTER, GRUCELA,
HENNESSEY, HERSHEY, HESS, HORSEY, KELLER, LESCOVITZ, MELIO,
METCALFE, MICOZZIE, S. MILLER, PETRARCA, PISTELLA, READSHAW,
ROONEY, SANTONI, SATHER, SCHRODER, SCHULER, B. SMITH,
SOLOBAY, R. STEVENSON, E. Z. TAYLOR, J. TAYLOR, TIGUE,
TURZAI, WANSACZ, WATSON, YOUNGBLOOD, CALTAGIRONE, DONATUCCI,
BELARDI, CAPPELLI, CAWLEY, CRUZ, GABIG, GEIST, GEORGE,
HERMAN, HUTCHINSON, JAMES, LAUGHLIN, MANN, MARKOSEK, MARSICO,
McCALL, McGILL, McNAUGHTON, ROBINSON, SHANER, THOMAS, WALKO,
WOJNAROSKI AND McGEEHAN, MAY 13, 2002

REFERRED TO COMMITTEE ON INTERGOVERNMENTAL AFFAIRS, MAY 13, 2002

A RESOLUTION

1 Calling on the Congress of the United States to redraft and
2 enact legislation similar to the Child Pornography Prevention
3 Act of 1996 in a form which will pass constitutional muster.

4 WHEREAS, The Child Pornography Prevention Act of 1996 (Public
5 Law 104-208, 110 Stat. 3009-26) made it illegal to own or
6 distribute anything that appears to be a pornographic image of a
7 child under 18 years of age; and

8 WHEREAS, The Child Pornography Prevention Act of 1996
9 expanded the existing Federal prohibition on child pornography
10 materials by including any visual depiction, including any
11 photograph, film, video, picture or computer or computer-
12 generated image that is, or appears to be, of a minor engaging
13 in sexually explicit conduct; and

1 WHEREAS, A recent United States Supreme Court ruling upheld a
2 lower court ruling striking down the Child Pornography
3 Prevention Act of 1996 on the grounds that it was vague and too
4 far reaching; and

5 WHEREAS, A United States Department of Health and Human
6 Services study estimates that victimizers sexually abused 93,000
7 children in the United States in 1999; and

8 WHEREAS, According to the National Incident-Based Reporting
9 System of all sexual assaults reported to law enforcement
10 agencies from 1991 through 1996, more than two-thirds of all
11 victims were under 18 years of age at the time of the crime, 33%
12 of victims were between 12 and 17 years of age and 34% were
13 under 12 years of age; and

14 WHEREAS, What is even more disturbing is that one of every
15 seven victims of sexual assault reported to law enforcement
16 agencies in this same period was under six years of age; and

17 WHEREAS, Our children need protection from the irreparable
18 harm committed by sexual abusers; and

19 WHEREAS, The Child Pornography Prevention Act of 1996 made a
20 bold attempt to give law enforcement an invaluable tool in
21 stopping child pornography in cases where it was difficult to
22 discern between real child pornography and virtual child
23 pornography; and

24 WHEREAS, The Child Pornography Prevention Act of 1996 was
25 instrumental in preventing pedophiles from using virtual or
26 computer-generated pornography to seduce real children; and

27 WHEREAS, The Child Pornography Prevention Act of 1996
28 prevented pedophiles from owning or distributing virtual child
29 pornography that fueled their pursuit and interest in these
30 illicit materials and subject matter; and

1 WHEREAS, New legislation on the matter of virtual child
2 pornography is needed to keep pace with ever-advancing computer
3 technology; therefore be it

4 RESOLVED, That the House of Representatives of the
5 Commonwealth of Pennsylvania call on Congress to redraft and
6 enact legislation similar to the Child Pornography Prevention
7 Act of 1996 in a form which will pass constitutional muster; and
8 be it further

9 RESOLVED, That copies of this resolution be transmitted to
10 the presiding officers of each house of Congress and to each
11 member of Congress from Pennsylvania.