

RECEIVED MAY 29 2003



U.S. Department of Justice

Paul M. Warner

*United States Attorney
District of Utah*

*REPLY TO:
Paul M. Warner
United States Attorney*

*185 South State Street, #400
Salt Lake City, Utah 84111-1506*

*(801)524-5682
(800)949-9451
Fax: (801)524-6924*

May 20, 2003

Ms. Sandy Rios, President
Ms. Janet M. LaRue, Chief Counsel
Concerned Women for America
1015 Fifteenth Street, N.W., Suite 1100
Washington, D.C. 20005

Dear Ms. Rios and Ms. LaRue:

We are in receipt of your letter dated April 30, 2003, inquiring about the status of any obscenity cases filed by this office and the status of investigations into complaints about obscene material available on the Internet that have been filed on Morality In Media's web site, www.obscenitycrimes.org. The investigation and prosecution of child exploitation and obscenity is a priority in the District of Utah. In fact, I personally attended the Federal Prosecutors' Symposium on Obscenity in June of last year in Columbia, South Carolina, at which Attorney General John Ashcroft unequivocally committed the Department of Justice to the task of combating obscenity. Accordingly, we continue to work with state and federal law enforcement agencies, as well as with prosecutors in the Department of Justice's Child Exploitation and Obscenity Section, to aggressively investigate and prosecute those individuals and companies who manufacture and distribute obscene materials.

We trust you understand that we are not able to comment on pending investigations into the distribution of obscene material into the State of Utah. We can report, however, that we have asked our local federal law enforcement agents to investigate any and every complaint about potentially obscene material available in Utah. As we are sure you recognize, most, if not all, of the obscenity complaints received by this office are not actually prosecutable because of the difficulty associated with locating the actual individuals or companies that create and distribute the objectionable material. Unfortunately, the trail to finding those individuals sometimes ends outside of our country's borders and out of our prosecutorial reach or, even more frequently, to a dead

end. Other reasons that obscenity complaints may not be prosecutable are that venue may not lie in the District of Utah, or the objectionable material giving rise to a complaint may not be obscene under the Supreme Court's obscenity standard set forth in *Miller v. California*, 413 U.S. 15 (1973).

Thank you so much for your inquiry about the status of our obscenity prosecutions. In addition to our efforts to investigate and prosecute obscenity cases, we continue to aggressively prosecute those individuals who exploit children. Be assured that we take very seriously all the complaints we have received and will continue to make it a priority to investigate and prosecute those individuals and entities that violate federal law.

Very truly yours,

A handwritten signature in black ink, appearing to read "Paul M. Warner", written over a horizontal line.

PAUL M. WARNER

United States Attorney for the District of Utah