ew obscenity law goes into effect in N.C.

Kathy Meadows f Writer

person walks into The Pan-Haggard Avenue, wanting y a copy of Playboy, Pene or Playgirl, he or she may a hard time finding the

magazines are still on sale store—but they're wrapped llophane, kept behind the counter and the front covers rned to the wall

ese measures are being taken he Pantry in response to a bscenity law that went into in North Carolina on Oct. e law, considered one of the tougher m's graphy statutes, makes ly or sale of any porphic materials a felony.

ob Nowell, assistant proof journalism who teaches says "that the towns of Elon er a magazine like Playboy is not obscene. Those who

do think it is obscene can legally ban it."

The new North Carolina law is considered tougher because it makes it much easier for prosecutors to get a conviction in criminal obscenity trials. The

-Allows judges and juries to apply community standards rather than statewide standards in defining obscenity.

Eliminates a preliminary court hearing to determine whether a a specific film, movie, or magazine is obscene.

-Deletes a requirement that obscene material lacks "educational value" to be illegal.

—Classifies obscenity offences as felonies rather than misdemeanors.

-Stiffens sentences for those convicted of obscenity violations.

According to Tim McDowell, mmunications law course at director of public relations at Elon and a member of the North e, Gibsonville and Burlington Carolina General Assembly, the have wide disagreements purpose of the law is to crack down on pornography and violence involving minors.

Under the old law, a police officer could walk into an adult bood store, buy a pornographic book or magazine, and take it to court for the judge to declare obscene. If so, the owner would be forced to halt the sale of publication. The problem with such a procedure is that there were too many circulations to go through. This act was known as a prior advisory hearing. The new law does away with this and, instead, spells out what is classified as obscene.

McDowell said, "I think it's a good bill. The General Assembly is not in business to tell people what to view in their homes unless it involves harm to other people. The law is aimed at what can and can't be done to other people and minors."

However, as a result of this law, Piedmont businesses that market sexually explicit material filed a civil suit in U.S. Middle District Court in Greensboro. They are claiming that the law is unconstitutional. The businesses involved were five video stores.

theaters and two newsstands Two similar suits have been filed in Charlotte.

At one newsstand in Greensboro last week, approximately 1,000 magazines were eliminated from the stock for fear that they may be classified as "obscene" under this law, which could result in a five-year prison sentence for the owners.

In a Greensboro adult bookstore, customers seeking sexually explicit publications on the shelves were greeted with back issues of Omni, National Geographic, Psychology Today, Saturday Evening Post, McCall's and numerous other domesticated material.

Publications such as Playboy and Penthouse have not yet been banned in Elon College. But store owners, such as the Pantry, are playing it safe. Now, such magazines must be-kept behind the counter out of public view. Customers must be at least 18 to purchase such an item, and if there is any question concerning their age, they will be asked to present ID.

Although the law is aimed at protecting today's society, it will put a damper on some businesses. Thus, many merchants, as well as patrons, are up in arms over the situation. As one newsstand owner in Greensboro said, "If you lost 50 percent of your income would you be mad?"

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