

## 1 HOUSE RESOLUTION

2 WHEREAS, The United States Supreme Court, on April 16,  
3 2002, rendered its decision in Ashcroft v. Free Speech  
4 Coalition, deciding that the Child Pornography Act of 1996 is  
5 overly broad in its ban on sexually explicit images that  
6 appear to depict minors, but are not produced using minors,  
7 also known as virtual child pornography; and

8 WHEREAS, The United States Supreme Court held that such  
9 speech is neither child pornography nor obscene, and thus a  
10 ban abridges the freedom to engage in a substantial amount of  
11 lawful speech, therefore legitimizing virtual child  
12 pornography; and

13 WHEREAS, The United States Supreme Court's decision  
14 impedes prosecutors' ability to prosecute actual child  
15 pornography cases by creating a defense for child  
16 pornographers that their images are computer-generated,  
17 thereby raising a reasonable doubt as to a perpetrator's  
18 guilt; and

19 WHEREAS, The Nation and the State of Illinois have a  
20 compelling interest in protecting our children; therefore, be  
21 it

22 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE  
23 NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that  
24 we urge the United States Supreme Court to consider the  
25 ability of advanced technology to make it impossible to  
26 enforce actual child pornography laws because the Government  
27 cannot prove that certain pornographic images are of real  
28 children; and be it further

29 RESOLVED, That we urge the United States Supreme Court to  
30 acknowledge the difficulty in distinguishing between virtual  
31 and actual child pornography and find that there is a

1 compelling interest in banning virtual child pornography to  
2 ensure that prosecutors are able to protect our children from  
3 exploitation; and be it further

4       RESOLVED, That a copy of this Resolution be sent to each  
5 Justice of the United States Supreme Court.