

★ ARGUMENT IN FAVOR OF PROPOSITION 60 ★

Nobody should have to risk their health in order to keep their job!

A *YES* vote for Prop. 60 is a vote to protect California adult film workers from disease. Porn producers refuse to provide a safe workplace for their performers. As a result, thousands of workers have been exposed to serious and life-threatening diseases. *It is time to hold the pornographers accountable for worker safety and health in California's adult film industry.*

Since 1992, the law has required condom use in all adult films produced in California. According to Cal/OSHA, "*Condoms are required to protect adult film workers from exposure to HIV and other sexually transmitted infections.*" Prop. 60 closes loopholes in the existing law and improves enforcement so pornographers can more readily be held accountable for the same workplace protection law that applies to every other California industry. Prop. 60 only holds adult film producers, directors, and agents accountable—not adult film performers.

The American Medical Association, the American Public Health Association, and other major medical and public health institutions support the use of condoms in adult films. But pornographers blatantly ignore the law. They complain condom use in their films will hurt their profits. They fire and blacklist adult film performers who want to protect themselves with condoms.

When pornographers ignore the law, they expose their workers to HIV, syphilis, chlamydia, gonorrhea, herpes, hepatitis, and human papillomavirus (HPV). Scientific studies show adult film performers are far more likely to get sexually transmitted diseases than the general population. Thousands of cases of diseases—which can spread to the larger community—have been documented

within the adult film industry in recent years.

Pornographers say adult film performers are tested for disease. But testing (which the workers must pay for!) is inadequate. It does not effectively identify many sexually transmitted diseases in a timely manner. Condoms provide important additional protections. *Vote YES on Prop. 60 for worker safety!*

We all pay the price because pornographers refuse to play by the rules. The lifetime cost to treat HIV is nearly half a million dollars *per person*. This industry has cost California taxpayers an estimated \$10 million in HIV treatment expenses alone. In addition, taxpayers pay hundreds of thousands of dollars each year to treat related diseases.

The need to strengthen existing law is particularly urgent now because the adult film industry is struggling to make profits. As a result, pornographers are more likely than ever to resist condom use. Prop. 60 provides health officials with the enforcement tools they need to help ensure the law is enforced and adult film workers are adequately protected.

Pornographers have taken advantage of young working women and men for too long. Pornographers must not be allowed to continue to violate the law that protects these California workers. This is about fairness and responsibility. Visit FAIR4CA.org for more information. *VOTE YES ON PROP. 60!*

CYNTHIA DAVIS, M.P.H., Board Chair
AIDS Healthcare Foundation

GARY A. RICHWALD, M.D., M.P.H., Former Director
Los Angeles County Sexually Transmitted Disease Program

DERRICK BURTS, HIV-Positive Former Adult Film Worker

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 60 ★

Prop. 60 is dangerous for workers, and costly to voters like you. This initiative is the only one opposed by all major political parties.

One special interest group has spent millions of dollars drafting Prop. 60 and funding the campaign. Is it a surprise that this special interest group will also profit from the proposition? They will be given authority to file countless lawsuits against workers in adult films and can pocket special fines. Every on-set worker could be sued.

Prop. 60 also gives ANY resident of California the ability to sue adult film performers who produce adult films. Even an injured worker. Can you imagine the potential for abuse and harassment? And the cost. It's no wonder the nonpartisan Legislative Analyst's Office (LAO) estimates a potential cost to California taxpayers of "millions of dollars."

This is what happens when a special interest group spends millions of dollars on a complex thirteen-page initiative: a measure with so many flaws and problems that it negates any positive components. It even weakens current workplace safety.

OPPOSITION to Prop. 60 is growing, including public health and civil rights organizations, such as Equality California, APAC (the largest, independent performer organization) and LA LGBT Center. The CALIFORNIA DEMOCRATIC PARTY and CALIFORNIA REPUBLICAN PARTY oppose Prop. 60.

Prop. 60 is an "all-or-nothing" approach funded by a single special interest group. Worker safety policy should be written with everyone's input. *VOTE NO ON PROP. 60.*

To learn more, visit Californians Against Worker Harassment at DontHarassCA.com

RACHEL "CHANEL PRESTON" TAYLOR, President of the
Adult Performer Advocacy Committee

JERE INGRAM, CIH, CSP, FAIHA, former Chair of the
California Occupational Safety & Health Standards Board

MARIE LOUISE "NINA HARTLEY" LEVINE, Bachelor of Science
in Nursing

★ ARGUMENT AGAINST PROPOSITION 60 ★

VOTE NO ON PROP. 60: This is what happens when one special interest group has access to millions of dollars to fund a political campaign. This 13-page measure is so poorly drafted it is the only initiative this year OPPOSED by the CALIFORNIA DEMOCRATIC PARTY and the CALIFORNIA REPUBLICAN PARTY. Even the California Libertarian Party opposes Prop. 60.

The proponent wants you to believe it is about worker safety. However, Prop. 60 is OPPOSED by the ONLY independent *all adult film performer* organization in the state, with hundreds of dues paying members. In a letter to the California Secretary of State, the President of the Adult Performer Advocacy Committee, Chanel Preston stated the initiative is dangerous for the health and safety of performers.

Prop. 60 is also OPPOSED by many civil rights and public health organizations, including Equality California, the Transgender Law Center, AIDS Project Los Angeles, the Los Angeles LGBT Center and the San Francisco AIDS Foundation.

Prop. 60 is opposed by business leaders such as the Valley Industry & Commerce Association (VICA).

The proponent wants you to believe this is about worker safety. But this disguises the real impact of the measure: the creation of an unprecedented LAWSUIT BONANZA that will cost taxpayers “millions of dollars” and threatens the safety of performers.

The initiative creates a new *private right of action* authorizing the Proponent AND all 38 MILLION RESIDENTS OF CALIFORNIA to file lawsuits *directly* against those who produce or distribute adult content, which could include adult film performers, even injured performers, on-set crew, and cable and satellite television companies. No other worker in California can be sued this way. VOTE NO ON PROP. 60.

HERE ARE THE FACTS:

- According to California’s nonpartisan fiscal advisor Prop. 60 could cost taxpayers “MILLIONS OF DOLLARS” each year; money that could be spent on education, health care, libraries, police and fire services.
- The ultimate trial lawyer ballot measure, Prop. 60 gives EVERY Californian the right to sue those who produce or distribute adult content, which could include adult film performers, including LGBT performers, on-set workers, and cable and satellite television companies. The initiative’s presumption of liability could apply to every future California-produced adult film on cable television.
- Prop. 60 could force adult film performers to publicly *disclose private information*, including their legal names and HOME ADDRESSES.
- State employees will have to “review” adult films.
- The named proponent is authorized to be “sworn in” as an agent of the state; only the Legislature can VOTE him out of the position.
- Married couples who distribute films produced in their own homes could be sued.

Prop. 60 will cost taxpayers millions of dollars, could violate worker privacy, and even make the Proponent an agent of the state—indemnified by taxpayers like you. That’s why you should join performers, business leaders, the CALIFORNIA DEMOCRATIC PARTY and CALIFORNIA REPUBLICAN PARTY and VOTE NO ON PROP. 60.

MARK LENO, Senator
11th District

JAY GLADSTEIN, M.D.
Internal Medicine/Infectious Diseases

JESSICA YASUKOCHI, Vice President
Valley Industry & Commerce Association

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★ REBUTTAL TO ARGUMENT AGAINST PROPOSITION 60 ★

Make no mistake about who opposes Prop. 60. It’s the greedy porn producers. They routinely put adult film performers’ safety and health at risk by forcing them to perform without condoms. Recent studies found that one in four performers have been sick with serious sexually transmitted diseases. *Nobody should have to risk getting a serious disease to keep their job!*

The profits-before-safety lawbreaking in the adult film industry is well documented. California safety and health officials—Cal/OSHA—have issued HUNDREDS OF THOUSANDS OF DOLLARS in citations against nearly two dozen pornographers for violating rules that clearly require condoms in adult films.

But Cal/OSHA officials have frequently been blocked by loopholes and enforcement limitations. Prop. 60 will close the loopholes and strengthen Cal/OSHA’s ability to enforce existing law. *This is about fairness and responsibility!*

Prop. 60 is supported by NUMEROUS MEDICAL AND PUBLIC HEALTH ORGANIZATIONS, including:

- California State Association of Occupational Health Nurses
- California Academy of Preventive Medicine

- Southern California Coalition for Occupational Safety and Health
 - American College of Obstetricians and Gynecologists—District IX
 - American Sexual Health Association
 - Beyond AIDS
 - California Communities United Institute
- Pornographers have abused performers for far too long. Performers need and deserve the same workplace safety and health protections that construction workers, farmworkers, nurses, and millions of other California employees already enjoy.
VOTE YES ON PROP. 60!

JEFFREY KLAUSNER, M.D., M.P.H., Professor
UCLA School of Medicine

PAULA TAVROW, Ph.D., Director
UCLA Bixby Program on Population and Reproductive Health

AMANDA GULLESSERIAN, Founder
International Entertainment Adult Union (IEAU)