

Laws guarding kids from online porn at risk in appeal

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WASHINGTON (BP)—Laws in 20 states aimed at shielding minors from online pornography are under fire as the U.S. Supreme Court hears a legal challenge Jan. 15, with the Texas Baptists' Christian Life Commission joining the Southern Baptist Ethics & Religious Liberty Commission among many interceding for the Texas law at the center of the case.

At issue in the case, [*Free Speech Coalition, Inc. v. Paxton*](#), is [Texas House Bill 1181](#), one of a string of 20 such laws passed since Louisiana began the charge in 2022 to require websites containing at least 33 percent pornographic materials to verify that a user is at least 18 years old.

The Free Speech Coalition, an adult entertainment industry trade association, is challenging the laws and has a hearing before the High Court, arguing the regulations endanger free speech and privacy rights of site users. The Texas case is appealed from the U.S. Fifth Circuit, which upheld for Texas.

The public policy organizations' [brief](#) said the U.S. Constitution does not prohibit states from regulating materials that are obscene to minors [and presented historical evidence](#) dating to the 17th century.

"The Fifth Circuit's decision aligns with the history of State regulation of obscenity and this Court's tradition of respecting the broad police powers enjoyed by the States to protect minors from obscene entertainment," the brief stated.

"While Texas might have done more, it legislated only as much as was necessary to protect children from exposure to harmful, obscene sexual

materials. H.B. 1181 accords with the history of State regulation of material that is obscene for minors, and so it is plainly constitutional."

Tennessee's law, originally scheduled to take effect Jan. 1, was allowed to take effect late in the day on Jan. 13 when the U.S. Court of Appeals for the Sixth Circuit stayed an injunction the Free Speech Coalition had secured in December to block the law's implementation. In Georgia, a law passed in 2024 is set to take effect in July.

In response, the most-visited adult website Pornhub has blocked access to its site in most of the states where age verification laws have been passed, leaving access available in Georgia, Louisiana and Tennessee, [CNN reported](#).

Much support for Texas law

Nearly 60 lawmakers from 15 of the states where laws are in effect jointly filed an amici brief in support of the Texas law—and by extension their own.

"In sum, speech regulations are scrutinized more leniently, and First Amendment protections are at their weakest when children are at risk; where no criminal prosecution or total ban or prior restraint or viewpoint discrimination is present; where the law regulates conduct; and where the content is sexually graphic and is broadly disseminated in a manner that may expose children," reads the brief submitted by lawmakers. "H.B. 1181 is just such a law. Its sole purpose is to restrict children's access to sexually graphic material."

Legislators signing the brief, filed Nov. 15, 2024, represented Alabama, Arkansas, Florida, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Montana, Nebraska, North and South Carolina, Tennessee and Utah. In addition to the aforenamed states and Texas, similar laws are in effect in

Virginia, South Dakota and Oklahoma.

"As articulated in their statement of faith, Southern Baptists believe that God gave all of humanity free choice when it comes to questions of morality," the ERLC wrote. "But minors often lack the developmental capacity or moral maturity to know how to exercise that free choice responsibly.

"Thus, Southern Baptists believe it is important to structure society and society's rules to maximize the ability to educate and train minors on their social and moral responsibilities.

"And while it is primarily the role of families to provide this education and training, the States certainly have an important role to play in this process—most significantly by protecting the ability of families to perform their role."

Scholars from the Wheatley Institute at Brigham Young University and the Institute for Family Studies—affiliated with the Church of Jesus Christ of Latter-Day Saints—recently analyzed research studies of pornography use conducted over the last 20 years, documenting "trends in pornography use among children and teens and to identify how its use may be harmful to their development in significant ways," a press release explained.

The researchers used their findings to submit an additional amicus brief to the U.S. Supreme Court in *Free Speech Coalition, Inc. v. Paxton*.

The [report](#), released Jan. 14, concludes that "not only is pornography linked to development risk for minors, but it is actually more dangerous for young people than acknowledged in some research studies," the press release reads.

Laura Schlegel, a Republican Louisiana representative who authored the first successful online age verification law in the nation, is also a licensed

professional counselor and certified sex addiction therapist. Exposure to porn harms children and adolescents, she said in her brief.

Girls who view pornography are more likely to see themselves as objects of male pleasure, struggle with self-esteem issues, have higher rates of self-harm and suffer more vulnerability to sexual exploitation. Boys develop unrealistic and harmful attitudes toward sex and relationships that lead to increased aggression and difficulties in forming genuine intimate connections, Schlegel said.

Anxiety, depression and engagement in risky sexual behavior are pronounced.

“Protecting minors from obscene content isn’t just a compelling interest legally,” Schlegel noted. “It is a compelling, bipartisan issue at every kitchen table in this country.”

With additional reporting by Calli Keener.