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‘Yes on Prop. 60’ Sues Pornographers Over Lies in Voter Info

Legal action filed today in Sacramento County Superior Court seeks a Writ of Mandate against opponents of Proposition 60, the California Safer Sex in the Adult Film Industry Act for submitting numerous false and/or misleading statements for printing in the official California Voter Guide.

The State Legislative Analyst’s Office (LAO) [analysis](#) of the ballot measure exposes opponents’ false and misleading statements in arguments submitted against Prop. 60, a November ballot measure intended to strengthen and clarify laws requiring condom use by adult film performers.

LOS ANGELES (July 28, 2016) Derrick Burts, a member of the group, [For Adult Industry Responsibility \(FAIR\)](#), and ‘Yes on Prop 60,’ the backers of a state ballot measure to clarify and strengthen existing laws that require condom use by adult film performers working in California, filed a Petition for Writ of Mandate in Sacramento County Superior Court today ([Case # 34-2016-80002404](#)) against several individuals working in the porn industry, in an effort to block their false statements about Proposition 60, the [California Safer Sex in the Adult Film Industry Act](#), from appearing in the official Voter Guide.

Today’s legal filing by attorney Bradley Hertz of The Sutton Law Firm alleges several California Elections Code violations regarding false and/or misleading statements made by Proposition 60’s opponents. The petition alleges that opponents of the measure made statements ranging from “...outright falsehoods about Proposition 60, to misplaced reliance on superseded fiscal findings of the Legislative Analyst, to obfuscation of the measure’s ‘private attorney general’ provision, and even to inaccurately naming an organization that opposes the measure,” in the formal language they submitted for the:

- Ballot Measure Summary *Against* Proposition 60,
- Ballot Argument *Against* Proposition 60, and
- Rebuttal to the Ballot Argument *in Favor* of Proposition 60.

“The California Voter Guide is an official state document that millions of California voters rely on for accurate information about ballot measures. As such, it is incumbent upon state officials to ensure that the materials provided by both supporters and opponents of ballot measures are

truthful, fair and accurate,” said **Rick Taylor**, Yes on Prop 60’s lead campaign consultant. “The language in question submitted to the Secretary of State by the adult film industry and the Free Speech Coalition misrepresents several significant parts of Proposition 60—that it will potentially cost the state “tens of millions in state and local tax revenue,” and that it will allow every Californian to sue any adult film performer and obtain and expose their true identities and personal information. Interestingly, the language submitted by opponents in their three opposition arguments regarding Proposition 60 never *once* mention the word ‘condom’.”

The Legislative Analyst’s Office’s (LAO) most up-to-date analysis¹ of Proposition 60 clearly exposes opponents’ false and misleading statements.

“In addition to adult film producers, [Proposition 60] makes adult film distributors and talent agents potentially liable for workplace health and safety violations placed into law by this measure.”

“[Proposition 60] provides that its penalties will not apply to adult film performers or employees, so long as those individuals have no financial interest in a film and are not producers of the film.”

“...[Proposition 60] would likely reduce state and local tax revenues by several million dollars per year.”

“The ongoing state government costs to implement this law could exceed \$1 million annually. Most of the costs would be covered by new fees on adult film producers.”

FAIR4CA advocates note that initial and recent statewide polling suggests over 70% of voters agree with the ballot measure—even more than the 57% of voters² who passed Measure B, a similar measure in Los Angeles County in 2012.

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¹ Research done re: the fiscal impact on all proposed California ballot measures

² Measure B passed in November 2012 with 1,617,866 votes in favor (57%) vs. 1,222,681 votes against (43%)