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CENTER ON  
SEXUAL  
EXPLOITATION**

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February 1, 2018

Brian L. Roberts, Chief Executive Officer  
David L. Cohen, Senior Executive Vice President  
Comcast Corporation  
701 JFK Boulevard  
Philadelphia, PA 19103

**RE: Comcast 2018 Dirty Dozen List Notification**

Dear Messrs. Roberts and Cohen:

We are writing to express our deep concern regarding Comcast's actions to fuel sexual violence and racism through the distribution and sale of hardcore, adult pornography via Comcast's Xfinity video-on-demand and premium channel services. Your minimal steps for improvement in 2017 were not sufficient, and will likely mislead Comcast customers about the true nature of the pornographic content Comcast sells. We ask that you take immediate action to stop distribution of hardcore pornography.

In today's #MeToo culture, where sexual harassment and assault are rampant, corporations like Comcast have a renewed corporate responsibility to refrain from facilitating or profiting from material that promotes sexual exploitation. However, Comcast is filled with hardcore pornography that supports rape myths, normalizes adult-with-teen-themed and incest-themed exploitation, and reinforces degrading racially charged sexual stereotypes.

Very soon, the National Center on Sexual Exploitation (NCOSE) will publicly announce its annual "Dirty Dozen List" which names major mainstream promoters of sexual exploitation in America. Comcast will be included on this list again in 2018 alongside companies like Backpage.com, a notorious sex trafficking website.

**Responding to Mr. Cohen Regarding Potentially Obscene and Illegal Content on Comcast**

In a letter dated February 27, 2017, Mr. Cohen stated that he rejected our characterization of Comcast on the 2017 Dirty Dozen List regarding our concern that the material Comcast sells may be unlawful.

Federal law prohibits the distribution of obscene adult pornography on the Internet, on cable/satellite TV, on hotel/motel TV, in retail shops, through the mail, and by common carrier. Specifically, 18 U.S.C. 1468 prohibits the distribution of obscene matter by cable or satellite TV. We are also attaching

a short fact sheet on this matter for your review.

First, Mr. Cohen stated that Comcast has contractually bound with the pornography industry that any content given to Comcast should be lawful. We regret to inform you that the pornography industry is likely not a reliable source for legal advice as compared to codified law, particularly considering their vested financial interests in partnering with Comcast.

Second, Mr. Cohen stated that Comcast is in compliance with the “Adult Content Standards” set forth by the Cable & Telecommunications Association for Marketing (CTAM). While CTAM may provide useful guidelines for Comcast on different matters, CTAM operates as a non-profit association, and is therefore outranked by the Supreme Court decision which upheld obscenity laws. Obscenity is not within the area of constitutionally protected speech or press – in *Roth v. United States*, 354 U.S. 476 (1957), Justice Brennan observed that “this Court has always assumed that obscenity is not protected by the freedoms of speech and press” (at 481). In *Roth*, the Supreme Court went on to hold that obscenity is “not within the area of constitutionally protected speech or press” (at 485).

More recently, in *Ashcroft v. ACLU*, 535 U.S. 564 (2002), the Supreme Court rejected a constitutional challenge to application of obscenity laws to the Internet. See also, *United States v. Extreme Associates*, 431 F.3d 150 (3rd Cir. 2005), cert. den., 547 U.S. 1143 (2006).

### **Regarding Comcast’s Facilitation of Sexual Exploitation Through Pornography Sales**

Our society is struggling to cope with the impacts of multiple forms of sexual abuse and violence: child sexual abuse (which is 167 times more common than autism),<sup>1</sup> adult sexual exploitation,<sup>2</sup> racially-motivated sexual violence,<sup>3</sup> sexual assault on college and university campuses,<sup>4</sup> sexual trafficking of women and children,<sup>5</sup> and incest<sup>6</sup> to mention a few.

Comcast is promoting and profiting from pornography based on all of these themes.

<sup>1</sup> U.S. Department of Justice. “The National Strategy for Child Exploitation Prevention and Interdiction: A Report to Congress, (August 2010), <http://www.justice.gov/psc/docs/natstrategyreport.pdf> (accessed February 2, 2017); National Coalition to Prevent Child Sexual Abuse and Exploitation, “Facts for Prevention: The Health Impact on Children & Youth,” (January 2011), [http://www.preventtogether.org/Resources/Documents/Health\\_Impact\\_on\\_Youth.pdf](http://www.preventtogether.org/Resources/Documents/Health_Impact_on_Youth.pdf) (accessed February 4, 2017).

<sup>2</sup> Bryce Covert, “Women in Baltimore Public Housing Were Forced to Trade Sex for Basic Repairs.” *Think Progress* (January 9, 2016), <http://thinkprogress.org/economy/2016/01/09/3737612/baltimore-housing-sex-settlement/> (accessed February 4, 2017); Melissa Farley and Anne Cotton, et al. “Prostitution and Trafficking in Nine Countries: An Update on Violence and Posttraumatic Stress Disorder.” *Journal of Trauma Practice* 2, 3/4 (2003): 33-74.

<sup>3</sup> Victoria Olive, “Sexual Assault against Women of Color.” *Journal of Student Research* 1 (2012): 1-19; Gabby Bess, “Notre Dame Tutor Accused of Forcing Student into ‘Racially Motivated’ Sex.” *Broadly*, (November 2, 2015), [https://broadly.vice.com/en\\_us/article/notre-dame-tutor-accused-of-forcing-student-into-racially-motivated-sex](https://broadly.vice.com/en_us/article/notre-dame-tutor-accused-of-forcing-student-into-racially-motivated-sex) (accessed February 4, 2017); Associated Press, “Keller Teen Accused of Racially Motivated Sexual Assault of Teammate in Idaho High School Football Locker Room” (May 25, 2016), <http://sportsday.dallasnews.com/high-school/high-schools/2016/05/25/texas-teen-accused-racially-motivated-sexual-assault-teammate-idaho-football-locker-room> (accessed February 4, 2017).

<sup>4</sup> The White House Council on Women and Girls. *Rape and Sexual Assault: A Renewed Call to Action*, (2014), [https://www.whitehouse.gov/sites/default/files/docs/sexual\\_assault\\_report\\_1-21-14.pdf](https://www.whitehouse.gov/sites/default/files/docs/sexual_assault_report_1-21-14.pdf) (accessed January 9, 2016).

<sup>5</sup> Polaris. *2014 Statistics*, <https://polarisproject.org/sites/default/files/2014Statistics.pdf> (accessed January 9, 2016).

<sup>6</sup> David Finkelhor & Anne Shattuck, “Characteristics of Crimes against Juveniles,” Crimes Against Children Research Center (2012), [http://www.unh.edu/ccrc/pdf/CV26\\_Revised\\_Characteristics\\_of\\_Crimes\\_against\\_Juveniles\\_5-2-12.pdf](http://www.unh.edu/ccrc/pdf/CV26_Revised_Characteristics_of_Crimes_against_Juveniles_5-2-12.pdf) (accessed February 4, 2017).

Comcast has informed NCOSE that they will be creating deceptive movie titles and descriptions that attempt to sanitize the degrading and exploitive themes of the films. This is far from a solution. Comcast will still be selling and profiting from pornographic content such as those described below which have been found on Comcast, but will not be alerting viewers to the true nature of the content they are about to view.

Examples of teen-themed, incest-themed, racism-themed, content that Comcast continues to sell:

- **Amateur Virgins: Ready to Orgasm**

Amateur babes desperate for a go.

- **Virgins No More: Wide Open for Sex**

Late-blooming babes finally get broken in.

- **Doing White Girls**

What are we doing here: White girls just the way you like them: big, bad and thick.

- **Friends & Family 3**

It's a wild family affair when the Stone family starts dating the Smiths.

- **Daddy's Girl Gone Wild!**

Abella Danger confesses to her stepfather that she likes sex. What to do when your bratty little stepdaughter needs your attention?

- **Amateur Babes: Tight & Wet**

Young and untamed, these fresh new faces cannot wait to get dirty for the first time! You won't be able to peel your eyes off these babes.

- **1st Time Orgasms: Dirty Sex Toy Time!**

Ladies play with toys.

- **Hot & Wet Amateurs: Ready to Climax.**

Thar she blows!

- **White Girls Making Daddy Mad**

Oh yeah, here's the girl that really wants to make her daddy mad. She's doing all that taboo stuff that really lights his hair on fire.

- **1st Time Lesbo Bangin' MILF**

Horny MILFs munch on hotties.

- **Ho's Bangin' Hos: Girls Do It Better**

These gals do guys for cash, but for pleasure, it is only their BGGs. They take the cash and run and party with their gal pals

- **Tight Horny Amateurs: Wet Finger Fun**

Lusty amateurs get off.

- **Bent Over Babes: Tight & Wide Open**

Hotties get what they crave in carnal action.

- **Young Studs Bang Hot MILFs**

Seasoned MILFs bedded by young bucks.

Additionally, Comcast provides dozens of titles via its Playboy subscription, 24 via Vivid Video, 25 Hustler films, and 30 titles through the TEN “adult” subscription. All in all, by one review conducted in April 2016, there were 515 X-rated offerings on Xfinity/Comcast.

In a letter sent to us dated June 3, 2016, Comcast’s Senior Executive Vice President, David Cohen, defended such material as “providing our customers with choice and a wide range of programming options.”<sup>7</sup> In light of the #MeToo and Times Up movement, does Comcast still support the systemic sexual exploitation of pornography, including its graphic themes of violence, racism, and incest?

As a wealth of peer-reviewed research demonstrates, pornography is linked to a multitude of harms, and particularly sexual violence against women, including sexual harassment and rape.

A recent meta-analysis of 22 studies from seven countries provides clear evidence confirming that pornography exposure is associated with sexual aggression in the United States and internationally, among both males and females; associations are stronger for verbal than physical sexual aggression, but both are significant.<sup>8</sup> As the authors state, “the accumulated data leave little doubt that, on the average, individuals who consume pornography more frequently are more likely to hold attitudes conducive to sexual aggression and engage in actual acts of sexual aggression than individuals who do not consume pornography or who consume pornography less frequently.”<sup>9</sup>

Fraternity men who consumed *mainstream* pornography expressed a greater intent to commit rape if they knew they would not be caught than those who did not consume pornography. Those who consumed *sadomasochistic* pornography expressed significantly less willingness to intervene in situations of sexual violence, greater belief in rape myths, and greater intent to commit rape. Among those who consumed *rape-themed* pornography, the researchers described “serious effects” including less bystander willingness to intervene, greater belief in rape myth, and greater intent to commit rape.<sup>10</sup> In other words, there was *no* type of pornography that did not result in a greater intent to commit rape by a user if they knew they would not be caught.

Major corporations such as Omni Hotels, Marriott International, Hilton Worldwide, Walmart, Facebook, and others have eliminated or are eliminating pornography from their business models. This is Comcast’s invitation to do likewise, and in so doing to assume a leadership position within

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<sup>7</sup> David Cohen, letter to National Center on Sexual Exploitation, (June 3, 2016).

<sup>8</sup> Paul J. Wright, Robert S. Tokunaga, and Ashley Kraus. “A Meta-Analysis of Pornography Consumption and Actual Acts of Sexual Aggression in General Population Studies.” *Journal of Communication*, (December 29, 2015): 1-23.

<sup>9</sup> *Ibid.*

<sup>10</sup> John Foubert, Matt Brosi, and R. Bannon, “Pornography Viewing among Fraternity Men: Effects on Bystander Intervention, Rape Myth Acceptance & Behavioral Intent to Commit Sexual Assault, *Sexual Addiction & Compulsivity*, 18, no. 4 (2011): 212-231.

the technology, media, and telecommunications sector.

We hope Comcast will rise to this challenge and meet with us to discuss ways by which it can become a corporate leader in the fight for a world free from sexual exploitation.

Sincerely,

A handwritten signature in blue ink, appearing to read "P. Trueman".

Patrick A. Trueman  
President & CEO

A handwritten signature in blue ink, appearing to read "D. Hawkins".

Dawn Hawkins  
Senior Vice President & Executive Director