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Re: Sale of Sexual Material to Minors, Commencing October 30, Midnight

Dear Florida State Attorneys:

Commencing at midnight tonight, major retailers in your jurisdiction will begin selling to anyone 17 and over an extremely violent video game called *Manhunt 2*, which is made by the same folks that have for years sold the *Grand Theft Auto*. I was on *60 Minutes* about three cops killed by a teen who trained on the cop-killing virtual reality simulator to kill them. I represent the police officers' families.

Manhunt 2 has so much sex and violence in it that it has been banned for sale *even to adults* in the United Kingdom. Yet in less than 17 hours it is going to be sold to teens in your respective jurisdictions.

One little detail that the video game industry and its retail network (which includes Best Buy, Wal-Mart, Circuit City, GameStop, Toys R Us, Target, etc.) have conveniently managed to forget is that Florida, like more than forty other states and the feds as well, have "sexual material harmful to minors" statutes. It is a felony to violate those laws. Although it is not a crime to sell violent material to minors (not yet) it is a crime, as you

all know, to sell “sexual material harmful to minors.” This game has a “Mature” rating slapped on it by the Entertainment Software Rating Board (ESRB). The ESRB “descriptor” says “Contains Strong Sexual Content.” One of the problems with the video game industry’s horribly flawed rating system is that it green lights (incongruously) the sale of “Mature” games to anyone 17 and over, which means there is a one-year hiatus between what the industry allows, when it comes to sexual material, and what the law, democratically enacted, provides. Math tells us that 17 is less than 18. Law trumps any industry practice. The fact then is that this “Strong Sexual Content” video game is going to be sold to kids under 18. The industry itself admits this and condones this.

So, what’s the problem here? Well, *Manhunt 2* features a virtual reality “sex club” in the game. The CEO of the widely-respected Common Sense Media calls the content of the game “pornographic violence,” as reported yesterday by the Associated Press.

I would respectfully suggest that your respective offices determine if the content of this game runs afoul of our “sexual material harmful to minors” statute. I have four experts who have testified before Congress on the harmful effects of this type of product, and I can make them available to each and every one of you if a prosecution ensues. I think you can get a favorable probable cause ruling today, given what is already in the public domain about this violent, sexually-laden game.

By the way, the game, when played on the kid-friendly Nintendo Wii platform, allows the players to hold motion capture devices, so that they can actually act out with their entire bodies the killing scenarios, which include torture with pliers, shovels, and the like.

Please feel free to contact me if you so desire. I think, as a father of a 15-year-old that the video game industry’s mental molestation of minors for money has gone on long enough, don’t you? And now we have sexual content in the game that may be running afoul of the law. These people obviously need better lawyers.

Regards, Jack Thompson