

# **Reliance on Kinsey's "Scientific" Child Sex Atrocities and the Effects of His Crime and Fraud on Past and Current Law and Public Policy**

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## **OVERVIEW: KINSEYAN SCIENCE AS CULPABLE**

Alfred C. Kinsey has been likened by supporters to a “scientific” Prometheus - bringing the equivalent of fire from the gods to enlighten mankind. Singlehandedly creating a sexology movement, his Kinsey Institute is the foundation of the Model Penal Code and all modern jurisprudence relating to sex and morality. But unlike Prometheus, Kinsey was fanned by his own base desires. Kinsey set loose fraudulent sexual fires upon the world that matched his own sexual psychopathologies and created a conflagration of human passions, released from the bonds of traditional jurisprudence and morality. His statistical lies were translated into laws that destroyed extant common law protections for women, children, and the family. His acolytes built upon his frauds a medical-psychological-educational-legal complex that is destroying our children and our society. If we are to halt our moral annihilation, all legal doctrines based on his crimes and fraud must be exposed like the Tuskegee Experiment and overturned. The dysfunctional laws underlying the education, media, entertainment, and other aspects of society that stand on Kinsey’s criminal frauds and child atrocities must be reversed.

## **EXECUTIVE SUMMARY**

### **I. SCIENTIFIC FRAUD AND MISCONDUCT**

Kinsey’s adult population sample was aberrant. He directed and colluded in the sexual torture of up to 2,035 infants and children.<sup>2</sup> Moreover the Kinsey team for *Sexual Behavior in the Human Male*, (1948) and *Sexual Behavior in the Human Female* (1953) engaged in criminal, sexual atrocities against from 317 (minimum) to 2,035 little boys, the youngest 2 months of age, covered up by the scientific establishment from 1948 to today.<sup>3</sup> Scientific fraud and misconduct always poisons the stream of knowledge. As legal, social, and educational decisions turn on public trust in scientific honesty, scientific fraud and misconduct can and do result in fatal consequences. Law thus holds the scientist accountable for knowingly injecting false data into the societal stream of consciousness, even where no discernible harm results. Kinsey’s frauds and mass sex crimes against children have been devastating to society. He falsified data, manipulated the public trust, created new societal sexual norms, and architected modern sex laws and sex education, based on his crimes against children. When fraud is discovered, and where it has resulted in harm, the judiciary must correct the damage. Kinsey & Co. must be held responsible so that law can rationally reexamine pre-Kinsey jurisprudence in matters of sexuality, restore protections for women and children and make the public whole again.

### **II. KINSEY: THE MAN AND HIS METHODS**

The architect of modern sex laws, sex education, and sex norms was a closet sexual psychopath, hence all laws and public policies now reflect his sexual pathologies. As a pornographically addicted, sadomasochist, bi/homosexual pedophile, Kinsey could not (and did not) produce legitimate data on human sexual behavior. Kinsey had a personal need to change sex laws in the

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<sup>2</sup> Judith A. Reisman, Ph.D., *Kinsey: Crimes and Consequences* 134 (2d ed. 2000).

<sup>3</sup> *Id.*

1950s into the laws he needed. As the law was, it criminalized his sexual behaviors. Thus, Kinsey assembled a like-minded cohort to produce his desired results, fabricating and discarding undesired data. He “forced” answers from subjects. He took sex “histories” from persons wildly aberrant: homosexuals, sadomasochists, petty and major criminals, prostitutes, pimps, pedophiles, draft dodgers, drunkards, and prisoners. He used this collection of sexual deviants to fabricate conclusions about the mores of normal society. Most important, Kinsey’s “research” protocol involved the criminal sexual torture of infants and children to establish children as “sexual from birth.”<sup>4</sup>

### III. KINSEY: TAINTED LAW JOURNALS

A 1950 Illinois Law Review article predicted that the Kinsey Report would change the law, judges would heed the use of his data, and the data would condition official action. This prediction has been upheld. Thousands of law journals have been tainted, citing Kinsey as a primary source and his findings in secondary and tertiary sources, 1950-2013. In one attached 2013 law review article, the Kinsey Report voice is heard yet again and in a chorus of hundreds of other law review articles, phrases identical to the Report’s statement that the “female breast is no more or less a sexual organ than is the male equivalent” are oft repeated. Then, as now, law review journals within the legal field are heeded, while their impact on the Model Penal Code (MPC) and vice versa cannot be underestimated. The MPC bridged the gap between the academic journals (espousing radical innovations based on Kinsey’s fraudulent data) and the ultimate statutes enacted and decisions rendered (giving those radical innovations based on the Kinsey vision the full force of law). It is documented that the MPC removed many common-law protections for women and children as “unscientific.”<sup>5</sup> Using Kinsey’s “data” that children are “sexual from birth” it was *seriously argued* that a four or five-year-old girl may have such “seductiveness” as to overwhelm adults into sexual activity with her. The MPC promoted this “scientific fact” of alleged child sexuality and accordingly reduced or eliminated protections for children. A closet pedophile, Kinsey’s data appear in law journals today: a dead pedophile still pulls the strings of public policy.

### IV. KINSEY IN THE CASELAW

The 1957 Wolfenden Report, a leading British study of homosexuality and prostitution cited Kinsey for authority for decriminalization. Immediately, American homosexual advocates cited Wolfenden to justify loosening American laws on sodomy and homosexuality. The result was the legitimization and legalization, on both sides of the Atlantic, of harmful conduct that had clearly been criminal. From its mid-20th century beginnings, Kinsey’s sexual standards have been imported into the law.<sup>6</sup> Kinsey (an adulterer and fornicator) is a judicial expert on adultery and fornication laws. Kinsey (a pedophile) is the authority for child abuse and age of consent. Kinsey (a bi/homosexual) is a judicial expert on bisexuality and homosexuality. Kinsey (a

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<sup>4</sup> See Appendix A.

<sup>5</sup> See Appendix B.

<sup>6</sup> See Appendix C.

pornographer) is the authority for obscenity, sex education, and for accreditation of sexuality teachers. Kinsey (a sexual harasser) is the authority for sexual harassment. No area of our law relating to morals and sexual crimes remains free from his psychopathic influence.

## **V. THE GLOBAL KINSEY/CONCLUSION**

Kinsey's global reach is growing, animated through millions of disciples. They have spread the gospel according to Kinsey throughout the courts, legislatures, and medical and educational establishments worldwide. As the law makes sexual aberrance legal, these acts are taught to American schoolchildren.<sup>7</sup> Despite the efforts of the American legal-medical-educational establishment to wholly normalize Kinsey's vision, the complete revolution in sexual norms meets resistance in those still adhering to Judeo-Christian morality. Some recent examples come from foreign countries where leaders have rejected Kinsey's corrupted sexuality. In 2013, the Croatian Constitutional Court overturned Kinsey-based sex education. In 2012, Switzerland defunded their "sex competency" education due to the exposure of Kinsey's atrocities. In America, we must recognize, as did Justice Brandeis, that pre-Kinsey "existing legal institutions" and laws largely explained "human affairs . . . and the conditions, and institutions by which [we] are surrounded."<sup>8</sup> Thousands of years of human experience and the legal tradition of the West were discarded on the basis of fraudulent "science." We know who is to blame. We know what happened. We know how we got to this point. Where do we go from here?

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<sup>7</sup> See Appendix D.

<sup>8</sup> Leonard Baker, *Brandeis and Frankfurter: A Dual Biography* 29 (1st ed. 1984).

## The Architect of Sex Laws/Education Was a Sexual Psychopath

History offers myriad fatal lessons when the scientific community loses its moral compass and accepts bad research. Race “science” in Nazi Germany and in our own and other nations should be a warning that science in the hands of those having “evil intent” can result in dire national and international consequences.

## Scientific Misconduct Pollutes the Stream of Knowledge and Damages Society

On April 24, 1998, Science Magazine quoted United States Supreme Court Justice Stephen Breyer saying, “[L]aw cases can turn almost entirely on an understanding of the underlying . . . scientific subject matter.”<sup>9</sup> A 2004 Wisconsin Law Review article noted the costs of scientific misconduct:

Scientific misconduct generates rampant damage . . . to society. . . . Once published, the information pollutes the stream of knowledge, perverts the scientific process, and causes researchers to abandon potentially valuable lines of inquiry and commit themselves to false ones. Because the scientific endeavor is based on the search for truth, honesty is central to the scientific enterprise, “**misconduct places the future of science at risk.**”<sup>10</sup>

While it is impossible to exhaustively list the litany of examples, a few examples is in order to provide context and illustrate the severe problem with such scientific misconduct. On November 15, 2010, the Journal of Medical Ethics reported that among retractions from authors deliberately committing research fraud, American scientists are responsible for most cases of scientific retractions and fraud.<sup>11</sup> A search of the PubMed science research database, found 788 retracted papers from 2000 to 2010, and 169 lead American authored papers were retracted for serious errors, as well as 84 retracted for outright fraud.<sup>12</sup> The “papers . . . represent a calculated effort to deceive.”<sup>13</sup> Additionally, “American scientists are significantly more prone to engage in data fabrication or falsification than scientists from other countries...”<sup>14</sup>

Not so long after the infamous “Piltdown Man” circa 1912, Cyril Burt, the British psychologist of IQ and heredity fame was found to have fudged, fabricated, or misreported his

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<sup>9</sup> Stephen Breyer, *The Interdependence of Science and Law*, SCIENCE MAGAZINE, Apr. 1998, at 537-38.

<sup>10</sup> Bratislav Stankovic, *Pulp Fiction: Reflections of Scientific Misconduct*, 2004 Wis. L. Rev. 975, 979-80 (2004).

<sup>11</sup> Alison Fairbrother, *U.S. Scientists Top Research-Fraud List – How Concerned Should We Be?*, PoliticsDaily (Dec. 25, 2010), available at [www.politicsdaily.com/2010/12/25/u-s-scientists-top-research-fraud-list-how-concerned-should/](http://www.politicsdaily.com/2010/12/25/u-s-scientists-top-research-fraud-list-how-concerned-should/).

<sup>12</sup> *Id.*

<sup>13</sup> R.G. Steen, *Retractions in the Scientific Literature: Is the Incidence of Research Fraud Increasing*, 37 J. of Medical Ethics 249-53 (Apr. 1, 2011).

<sup>14</sup> Alison Fairbrother, *U.S. Scientists Top Research-Fraud List – How Concerned Should We Be?*, PoliticsDaily (Dec. 25, 2010), available at [www.politicsdaily.com/2010/12/25/u-s-scientists-top-research-fraud-list-how-concerned-should/](http://www.politicsdaily.com/2010/12/25/u-s-scientists-top-research-fraud-list-how-concerned-should/).

data.<sup>15</sup> In early 1970, Dr. William Summerlin confessed to falsifying his allegedly successful skin transplants.<sup>16</sup> By 1981, Dr. John Long of Massachusetts General Hospital confessed that he fabricated positive data on Hodgkin's Disease.<sup>17</sup>

In 1981, Dr. John Darsee, a doctor doing cardiovascular research and instruction at Harvard Medical School fabricated data for a National Institutes of Health (NIH) fellowship.<sup>18</sup> "In the June 9 issue of *The New England Journal of Medicine*, its editor, Dr. Arnold S. Relman, says Dr. Darsee's systematic falsifications show the system is powerless to stem the apparently rising tide of fraudulent research."<sup>19</sup>

In 1985, Nobel Laureate, David Baltimore's data on the immune system were found to be incorrect and the National Institutes of Health (NIH) ruled his aide "might have committed scientific fraud," triggering congressional hearings in 1989 and 1990.<sup>20</sup> Baltimore's aide was declared guilty of scientific fraud by both the investigating agencies and Baltimore was forced in 1991 to resign as "president of Rockefeller University..."<sup>21</sup>

Eleven years later an NIH appeals board reversed all charges except research errors.<sup>22</sup> The press blamed "scientific McCarthyism" to humiliate the "academic establishment," and Baltimore became California Institute of Technology president.<sup>23</sup>

In 1988, Dr. Stephen Breuning, University of Pittsburgh research psychologist confessed to falsifying his research results for The National Institute of Mental Health (NIMH) on the use of Ritalin and Dexedrine to treat hyperactive retarded children. No harm was proven, *but Dr. Breuning was sentenced to prison.*<sup>24</sup>

In 1996, physicist, Dr. Alan Sokal deliberately humiliated the academic establishment by submitting a paper of jargon nonsense to the Duke University journal, *Social Text* "liberally

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<sup>15</sup> Cyril L. Burt Human Intelligence (Nov. 7, 2013), *available at* [www.intelltheory.com/burt.shtml](http://www.intelltheory.com/burt.shtml).

<sup>16</sup> New York Times, *Dr. Robert Good – World Renowned Immunologist* (June 19, 2013), *available at* [www.sfgate.com/bayarea/article/Dr-Robert-Good-world-renowned-immunologist-2608240.php](http://www.sfgate.com/bayarea/article/Dr-Robert-Good-world-renowned-immunologist-2608240.php).

<sup>17</sup> Kenneth Katkin, *Scientific Fraud, Dictionary of American History*, Encyclopedia.com (2003), *available at* [www.encyclopedia.com/doc/1G2-3401803766.html](http://www.encyclopedia.com/doc/1G2-3401803766.html).

<sup>18</sup> William J. Broad, *Notorious Darsee Case Shakes Assumptions about Science*, New York Times (June 14, 1983), *available at* [www.nytimes.com/1983/06/14/science/notorious-darsee-shakes-assumptions-about-science.html](http://www.nytimes.com/1983/06/14/science/notorious-darsee-shakes-assumptions-about-science.html).

<sup>19</sup> *Id.*

<sup>20</sup> Kenneth Katkin, *Scientific Fraud, Dictionary of American History* Encyclopedia.com (2003), *available at* [www.encyclopedia.com/doc/1G2-3401803766.html](http://www.encyclopedia.com/doc/1G2-3401803766.html).

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

<sup>24</sup> Janny Scott, *Researcher Admits Faking Data to Get \$160,000 in Funds*, LATimes (Sept. 20, 1988), *available at* [articles.latimes.com/1988-09-20/news/mn-2318\\_1\\_research-fraud](http://articles.latimes.com/1988-09-20/news/mn-2318_1_research-fraud); *Psychologist Gets 60 Days for Faking Study Data on Hyperactive Children*, LA Times (Nov. 11, 1988), *available at* [articles.latimes.com/1988-11-11/news/mn-871\\_1\\_hyperactive-children](http://articles.latimes.com/1988-11-11/news/mn-871_1_hyperactive-children)

salted with nonsense [that] . . . flattered the editors' ideological preconceptions."<sup>25</sup> His paper, *Transgressing the Boundaries: Towards a Transformative Hermeneutics of Quantum Gravity*, was peer reviewed and published after which Sokal pronounced *Social Text* "a pastiche of left-wing cant, fawning references, grandiose quotations, and outright nonsense."<sup>26</sup> Sokal's trick was repeated by others over the years to expose the pseudo-science of much that passes as "peer reviewed . . . hard" science.<sup>27</sup>

### **The Backstory: Exposing Kinsey's Child Sexual Abuse Atrocities**

In 1976, following her lecture at the British Psychological Society *Conference on Love and Attraction*, Swansea Wales, a nameless Canadian Psychologist (CP) addressed Dr. Reisman (JR):

CP: "If you are really concerned about child sexual abuse, read about Kinsey in *The Sex Researchers*."

JR: "Why?"

CP: "I worked with Kinsey and Pomeroy. One is a homosexual and the other a pedophile."

JR: "Which is which?"

CP: "Read and discover."<sup>28</sup>

Reisman did read and the following reflects some discoveries—for Kinsey radically changed law and culture. The United States Supreme Court Justice Louis D. Brandeis warned that "existing legal institutions" and laws largely explain "human affairs . . . and the conditions, and institutions by which you are surrounded."<sup>29</sup> In 1976, viewing data on the national victimization of women and children it, was clear that our legal institutions and laws were tragically skewed.

By 1981, President Ronald Reagan agreed. "For most of the past thirty years [since 1951] justice has been unreasonably tilted in favor of criminals and against their innocent victims. This tragic era can fairly be described as a period when victims were forgotten and crimes were ignored."<sup>30</sup> One sexual psychopath backed by a cell of similarly perverse aides, funded and defended by Indiana University, "tilted" justice "in favor of criminals."

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<sup>25</sup> Jamie Frater, *Top 10 Scientific Frauds and Hoaxes*, ListVerse, (Apr. 9, 2008), available at [listverse.com/2008/04/09/top-10-scientific-frauds-and-hoaxes/](http://listverse.com/2008/04/09/top-10-scientific-frauds-and-hoaxes/).

<sup>26</sup> *Id.*

<sup>27</sup> *Id.*

<sup>28</sup> Tom O'Carroll, *Paedophilia: The Radical Case* (1980), available at [www.ipce.info/host/radicase/chap04.htm](http://www.ipce.info/host/radicase/chap04.htm).

<sup>29</sup> Leonard Baker, *Brandeis and Frankfurter: A Dual Biography* 29 (1st ed. 1984).

<sup>30</sup> Ronald Reagan, *Crime Victims Handbook* Preface (U.S. Department of Justice 1981).

## KINSEY: THE MAN AND HIS METHODS

In 1968, the National Institute of Mental Health (NIMH) Task Force on Homosexuality was “hand-picked by [psychiatrist] Judd Marmor” to normalize homosexuality.<sup>31</sup> Marmor explained,

[I]n the late 1940s and early 1950s, I was impressed by the publication of the Kinsey group’s historic studies of male and female sexuality which seemed to me to be praiseworthy efforts to study the problems of human sexuality more objectively and scientifically.<sup>32</sup>

Dr. Marmor evaluated Kinsey’s sexuality research as objective and scientific? Ignoring Kinsey’s child sex atrocities and brazenly biased methodology, Dr. Marmor deliberately installed Kinsey’s deviant teammates Dr. Paul Gebhard and Dr. John Money as the NIMH “mental health” experts on homosexual normality.<sup>33</sup> Indeed, his picks, Dr. Gebhard, sexually “amoral” and Dr. Money,<sup>34</sup> a pederast advocate, also hid Kinsey’s methodological frauds and sexual crimes. Dr. Money pioneered transsexual surgery and advocated an end to the age of consent.<sup>35</sup> From 1973-1975, Dr. Marmor was President of the Group for the Advancement of Psychiatry when GAP urged age 7 as sexual majority.<sup>36</sup>

In 1969 the Task Force issued its report. It claimed, parroting the Kinsey reports almost word-for-word, that sexuality was a continuum from exclusive homosexuality to exclusive heterosexuality, and that some degree of *bisexuality* was the human norm. Without evidence, it stated that any homosexual suffering was caused by societal prejudice. (It avoided mentioning, however, that in Kinsey’s view, human sexual taste was almost infinitely malleable.) Thus, there was nothing problematic with homosexuality *per se*.<sup>37</sup>

Logically, since modern sex laws, sex education, and sex norms were dictated by a closet sexual psychopath, American laws and public policies now model those sexual pathologies. As a masturbatory, pornographically addicted, sadomasochist, bi/homosexual pedophile, Kinsey was

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<sup>31</sup> Jeffrey Satinover, *The “Trojan Couch”: How the Mental Health Associations Misrepresent Science* 2 National Association for Research and Therapy of Homosexuality (2005), available at [factsaboutyouth.com/wp-content/uploads/TheTrojanCouchSatinover.pdf](http://factsaboutyouth.com/wp-content/uploads/TheTrojanCouchSatinover.pdf).

<sup>32</sup> Vernon A. Rosario, *An Interview with Judd Marmor*, 7(4) J. of Gay & Lesbian Psychotherapy 26. (2003), available at [vrosario.bol.ucla.edu/CV/Marmor.pdf](http://vrosario.bol.ucla.edu/CV/Marmor.pdf).

<sup>33</sup> Jeffrey Satinover, *The “Trojan Couch”: How the Mental Health Associations Misrepresent Science* 2 National Association for Research and Therapy of Homosexuality (2005), available at [factsaboutyouth.com/wp-content/uploads/TheTrojanCouchSatinover.pdf](http://factsaboutyouth.com/wp-content/uploads/TheTrojanCouchSatinover.pdf).

<sup>34</sup> John Money, *Once Upon a Time I Met Alfred C. Kinsey*, 31 Arch. of Sexual Behavior 319 (Aug. 2002), available at <http://link.springer.com/article/10.1023/A%3A1016268108554>.

<sup>35</sup> Judith Reisman, Ph.D., *Kinsey: Crimes & Consequences* 79, 170, 172 (2d ed. 2000).

<sup>36</sup> Group for the Advancement of Psychiatry, [http://ourgap.org/past\\_presidents.aspx](http://ourgap.org/past_presidents.aspx) (last visited Feb. 21, 2014).

<sup>37</sup> Jeffrey Satinover, *The “Trojan Couch”: How the Mental Health Associations Misrepresent Science*, 2 National Association for Research and Therapy of Homosexuality (2005), available at [factsaboutyouth.com/wp-content/uploads/TheTrojanCouchSatinover.pdf](http://factsaboutyouth.com/wp-content/uploads/TheTrojanCouchSatinover.pdf) (emphasis original).

unable to produce honest human sexuality data. As our laws criminalized his sexual behaviors, Kinsey was driven to change these laws into laws that legitimized his criminal and ostracized conduct.

This required locating like-minded men to help fabricate his “scientific” data. Kinsey “forced” answers from anyone who did not agree with his sexual desires,<sup>38</sup> and recruited sex “histories” of wildly aberrant people: bi/homosexuals, sadomasochists, petty criminals, brutal felons, male and female prostitutes, pimps, pedophiles, draft dodgers, drunkards, rapists, incest offenders, and the most violent prisoners. This sexually deviant clan was mesmerized into Kinsey’s descriptions of normal Americans. Most important, Kinsey’s research “team” sexually *tortured* infants and children as young as 2 months of age to “prove” children “sexual from birth.”<sup>39</sup> These lies would “grow” into the now pandemic pedophile movement.<sup>40</sup> Now aware that the architect of modern sex laws, sex education and current sex norms was a sexual psychopath, how do we overturn, *as we must*, the doctrinaire laws and education standing on Kinseyan science frauds and mass child sex atrocities?

### **After Seven Decades of Fraud: Let Law Get Its House in Order**

The Judiciary has cited, condoned, and collaborated with Kinsey’s sex science frauds and child sex atrocities for over seventy years. Judicial endorsement of Kinsey’s bad sex “data” has contaminated every core value of society. Kinsey’s sexual psychopathologies have been and are now used daily in workshops, seminars, films, textbooks, and conferences to train the teachers who train millions of school children. In his 2013 law journal article, retired Australian Chief Justice Michael Kirby thanked Kinsey for bringing Kirby “out,” thus aiding in his judicial rulings.<sup>41</sup> The “Out” Hon. Michael Kirby AC CMG hyped Kinsey’s pioneering study in the *Indiana Journal of Global Legal Studies*.<sup>42</sup>

In 2012, the *Georgetown Law Journal* article, *Sexual Reorientation* noted that “Kinsey’s studies of male and female sexual behavior--while not without critics--are still the most...widely cited research on sexuality in the United States . . . . *Alfred Kinsey founded the modern field of human sexuality studies.*”<sup>43</sup> This relentless coverage and cover-up of Kinsey’s science frauds and child sex atrocities reflects legal criminal culpability with said frauds and child sex atrocities.

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<sup>38</sup> Judith Reisman, Ph.D., *Kinsey: Crimes & Consequences* 58 (2d ed. 2000).

<sup>39</sup> *Id.* at 134.

<sup>40</sup> See Appendix A.

<sup>41</sup> The Honorable Michael Kirby AC AMG, *Book Review: George P. Smith, II’s Law and Bioethics-Intersections along the Moral Coil*, 20 Ind. J. Global Legal Stud. 505 (2013).

<sup>42</sup> *Id.*

<sup>43</sup> Elizabeth M. Glazer, *Sexual Reorientation*, 100 Geo. L.J. 997, 1008-09 (2012) (emphasis added).

## 1948: Indeed. A sexual psychopath turned the world.

The term “psychopath” is defined as “a person with an antisocial personality disorder, manifested in aggressive, perverted, or criminal behavior without empathy or remorse.”<sup>44</sup> A psychopath’s sexuality “data” would gut faith in God’s moral laws. The Rockefeller Foundation’s National Research Council report on AIDS noted that “[t]he history of research on human sexuality, at least in the United States, can be divided somewhat crudely into the Pre-Kinsey and Post-Kinsey Eras.”<sup>45</sup>

True, history confirms only two American Law Standards for sex. The Pre-Kinsey Era turned on Common Law, Biblical Authority.

Legal sex – conjugal only, private, all sodomy as criminal  
Sex laws – restrictive and preventive  
Offenders – largely incarcerated  
Capital punishment for rape – legal, sparingly enforced  
The sex “field” – none exists  
Public morality determines laws and right conduct

Post-Kinsey Era: The Model Penal Code “Scientific” Authority Displaces Biblical Authority.

Legal sex – consensual (all sodomy becomes legal)  
Sex laws – permissive (pornography becomes big business)  
Offenders - paroled, pardoned, high recidivism denied  
Capital punishment for rape – illegal, all rape trivialized  
The sex “field” proliferates -- propagates, industrializes  
Kinseyan “private” morality – defines public morality law

In *The Greatest Generation*, Tom Brokaw wrote of The Pre-Kinsey Culture:

Faith in God was . . . part of the lives of the WWII generation . . . . A sense of personal responsibility and a commitment to honesty is a characteristic of this generation . . . It’s how they were raised.<sup>46</sup>

And, premier actress, Laura Linney starring as “Mrs. Kinsey” in the Fox Searchlight film, *Kinsey* explained: “Any sort of sexual education that anybody has had in the past 50 years came right from the [Kinsey] Institute . . . . Kinsey changed our culture completely.”<sup>47</sup>

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<sup>44</sup> *Websters II New College Dictionary* 914 (3d ed. 2005); see also Robert D. Hare, *Without Conscience: The Disturbing World of Psychopaths Among Us* 2 (1993).

<sup>45</sup> National Research Council, *Aids, Sexual Behavior, and Intravenous Drug Use* 79 (1989).

<sup>46</sup> Tom Brokaw, *The Greatest Generation* xx, 37, 55, (1998).

<sup>47</sup> ‘Kinsey’ Star Talks About Sex Researcher, ABC News (Oct. 14, 2004), available at [abcnews.go.com/Primetime/Oscars2005/story?id=166544](http://abcnews.go.com/Primetime/Oscars2005/story?id=166544).

As Kinsey invented the “sex field,” marriage, hygiene, and family life education, training in morality, self-control, sexual “hygiene” is replaced by: sex research, sex surveys, sex history, sex therapy, sex education, and soon “no fault” divorce, abortion, pornography as sex “training,” mass sexual deviance, and crime.

### Roughly 69% Of “Histories” (Subjects) Were Taken During WW II (1941-1945)

Total Number of Histories			P. 10
Year	Increment	Total	
1938 (6 months)	62	62	
1939	671	733	
1940	959	1692	
1941	843	2535	
1942	816	3351	
1943	1510	4861	
1944	2490	7351	
1945	2668	10019	
1946	1467	11486	
1947 (part)	728	12214	

AGE	FIRST PRE-ADOLESCENT EROTIC AROUSAL AND ORGASM						
	NUMBER OF CASES						
	EROTIC AROUSAL			ORGASM			
	In Any Sex Play	In Hetero-sexual Play	In Homo-sexual Play	Data from Present Study	Data from Other Subjects	Total Cases	% of Total
1					12	12	2.5
2					8	8	1.6
3				2	7	9	1.8
4	10	9	2		12	12	2.5
5	30	23	8	5	9	14	2.9
6	26	21	8	15	19	34	7.0
7	32	29	6	21	17	38	7.8
8	38	29	12	27	21	48	9.9
9	38	37	3	24	26	50	10.3
10	83	71	17	56	26	82	16.8
11	72	67	13	54	22	76	15.6
12	92	84	13	51	23	74	15.2
13	37	37	3	15	9	24	4.9
14	10	10		3	3	6	1.2
15	3	2	1				
Total	471	419	86	273	214	487	100.0
Mean Age	10.28	10.41	9.62	10.40	8.51	9.57	
Median Age	9.75	9.87	9.26	9.77	8.10	9.23	

Table 30. Pre-adolescent eroticism and orgasm

The above graph is Kinsey's table, page 10, Male volume.<sup>48</sup> NO military could give personal interviews during the war years. Yet, the Kinsey studies established "sexuality as a legitimate object of scientific inquiry... [and] what was thought to be normal sexuality."<sup>49</sup> However, this was "normal sexuality" for criminals, deviants and draft-dodging derelicts. For even normal home front men and women were loath to be interviewed in the war years, lest they accidentally said something that could do harm. This was consistent with the long-standing American propensity to refrain from usual liberties during war time, dating back to the Civil War. Even "Abraham Lincoln, champion of freedom and the rights of man suspended the writ of habeas corpus early in the Civil War--later in the war he also imposed limits upon freedom of speech and the press."<sup>50</sup>

Kinsey has no record of data from military personnel during the World War Two era, thus vitiating any claim that the data and "methodology" were accurate. Kinsey claimed not to have included racial minority data in his methodology (though doing so when it suited his purposes), and thus his claims of having a representative sample of normal white male society at the time, while lacking all military data (as well as data from conscientious citizens on the home front) belie his claims of normativity and refute the credibility of his entire methodology.

#### **1948 Kinsey Shows Infants/children as Sexual from Birth if "Helped"**

Kinsey claims that "[i]n 5 cases of young pre-adolescents, observations were continued over periods of months or years . . . ."<sup>51</sup> Indeed, Kinsey then admits to ongoing child sexual abuse by one of his teams.<sup>52</sup> Hence he colluded and/or participated and renamed his child rapes "normal" child sexual responses from infancy onward. Kinsey claims he attended the children's "First" orgasm, and *observed*. Kinsey states, "Of the 214 cases so reported, all but 14 were subsequently observed in orgasm."<sup>53</sup> Table 30 chronicles heterosexual and homosexual "play" in "First . . . . Arousal and Orgasm." Kinsey "*subsequently observed*" (defined as "occurring or coming later or after") these infants and boys being raped, sodomized, tortured, timed, and recorded. The youngest boy Kinsey tested to "climax" is "2 mon." old.<sup>54</sup>

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<sup>48</sup> Alfred Kinsey, *et al.*, *Sexual Behavior in the Human Male* 10 (1948).

<sup>49</sup> *Id.* at 45.

<sup>50</sup> See William H. Rehnquist, *All the Laws but One* Chapter II (1998); see also Zechariah Chaffee, Jr., *Freedom of Speech in War Time*, 32 Harv. L. Rev. 932 (1919).

<sup>51</sup> Alfred Kinsey, *et al.*, *Sexual Behavior in the Human Male* 177 (1948).

<sup>52</sup> *Id.*

<sup>53</sup> See *infra* Table 30.

<sup>54</sup> See *infra* Table 31.

AGE WHEN OBSERVED	PRE-ADOLESCENT EXPERIENCE IN ORGASM					
	TOTAL POPULATION	CASES NOT REACHING CLIMAX	CASES REACHING CLIMAX	CUMULATED POPULATION	CUMULATED CASES TO CLIMAX	PERCENT OF EACH AGE REACHING CLIMAX
2 mon.	1	1	0			
3 mon.	2	2	0			
4 mon.	1	1	0			
5 mon.	2	1	1			
8 mon.	2	1	1			
9 mon.	1	1	0			
10 mon.	4	1	3			
11 mon.	3	1	2			
12 mon.	12	10	2			
Up to 1 yr.	28	19	9	28	9	32.1
Up to 2 yr.	22	11	11	50	20	57.1
Up to 3 yr.	9	2	7	59	27	
Up to 4 yr.	12	5	7	71	34	
Up to 5 yr.	6	3	3	77	37	
Up to 6 yr.	12	5	7	89	44	63.4
Up to 7 yr.	17	8	9	106	53	
Up to 8 yr.	26	12	14	132	67	
Up to 9 yr.	29	10	19	161	86	
Up to 10 yr.	28	6	22	189	108	
Up to 11 yr.	34	9	25	223	133	80.0
Up to 12 yr.	46	7	39	269	172	
Up to 13 yr.	35	7	28	304	200	
Up to 14 yr.	11	5	6	315	206	
Up to 15 yr.	2	2	0	317	206	
Total	317	111	206	317	206	65.0

**Table 31. Ages of pre-adolescent orgasm**  
Based on actual observation of 317 males.

“Based on actual observation of 317 males,” this chart in the *Male* book includes boys from *two months* to fifteen years of age, with data as to whether these “cases” did or did not reach “climax.”<sup>55</sup> Each age category includes children tested by Kinsey and his team for “orgasm.” According to these data, only 18 out of 214 boys (Table 30) and “up to” 7 out of 317 boys (Table 31) would have reached hormonal maturity (at least thirteen years of age) when they were given their “first” orgasm by Kinsey’s team. Kinsey further asserts here that “orgasm” “*was observed*” in a male infant of five months. Notably, *in thousands of pages*, Kinsey *never* uses emotional, human terms such as “infant,” “baby,” “child,” “tot,” “toddler” for these brutally violated little boys.

Time	Cases Timed	Percent of Population	Cumulated Percent
Up to 10 sec.	12	6.4	6.4
10 sec. to 1 min.	46	24.5	30.9
1 to 2 min.	40	21.3	52.2
2 to 3 min.	23	12.2	64.4
3 to 5 min.	33	17.5	81.9
5 to 10 min.	23	12.2	94.1
Over 10 min.	11	5.9	100.0
Total	188	100.0	
Mean time to climax: 3.02 minutes Median time to climax: 1.91 minutes			

<sup>55</sup> *Id.*

The youngest boy “observed” is five months and the “stimulation” and “Mean time to climax” of 188 boys is timed with a second hand or stop-watch. Each Case Timed is a *child* criminally violated *and timed by Kinsey and/or his henchmen*. In an audio-taped interview, Paul Gebhard admitted they asked child rapists to “use stopwatches,” to “take notes . . . time it and report back to us. . . .”<sup>56</sup>

No. of Orgasms	Cases Observed	Percent of Population	Cumulated Percent	Time Between Orgasms	Cases Timed	Percent of Population	Cumulated Percent
1	81	44.5	100.0	Up to 10 sec.	3	4.7	4.7
2	17	9.3	55.5	11 to 60 sec.	15	23.5	28.2
3	18	9.9	46.2	Up to 2 min.	8	12.5	40.7
4	10	5.5	36.3	Up to 3 min.	10	15.6	56.3
5	14	7.7	30.8	Up to 5 min.	7	10.9	67.2
6–10	30	16.5	23.1	Up to 10 min.	11	17.2	84.4
11–15	9	4.9	6.6	Up to 20 min.	7	10.9	95.3
16–20	2	1.1	1.7	Up to 30 min.	1	1.6	96.9
21+	1	0.6	0.6	Over 30 min.	2	3.1	100.0
Total	182	100.0	100.0	Total	64	100.0	100.0
Mean No. of Orgasms: 3.72 Median No. of Orgasms: 2.62				Mean Time Lapse: 6.28 minutes Median Time Lapse: 2.25 minutes			

Table 33, shown above, claims “orgasms” among 182 boys and another 64 “Cases Timed.” Kinsey claimed “repeated orgasm in limited periods of time.” He felt that “a higher proportion of the boys could have had multiple orgasm [*sic*] if the situation had offered. Even the youngest males, as young as 5 months in age, are capable of such repeated reactions.” He reported these as “typical cases.” “The maximum observed was 26 climaxes in 24 hours” in a four-year-old and a thirteen-year-old. Kinsey’s Child Rapists Were “Trained Observers”

In 1990, *Donahue* was the only major television program to allow a full discussion of the Kinsey child sex atrocities.<sup>57</sup> Thereafter, the Kinsey Institute threatened legal action against anyone who allowed Dr. Reisman on television. Clarence Tripp, Kinsey’s photographer, later a psychologist and an “Out” homosexual just prior to his death.

DONAHUE: “Kinsey was to sexuality what Freud was to psychiatry, what Madame Curie was to radiation, what Einstein was to physics....We’ve based an entire generation of education of sexologists on Kinsey and Kinsey was a dirty old man.” “And he wasn’t! The guy....was married once, a nuclear family kind of guy.”

TRIPP: “Kinsey listened to *pedophiles* who were very careful used stopwatches, knew how to record their thing...”

DONAHUE “Aahhh, were they in prison at the time?”

<sup>56</sup> Judith Reisman, Ph.D., *Sexual Sabotage: How One Mad Scientist Unleashed a Plague of Corruption and Contagion on America* 27 (2010).

<sup>57</sup> *Donahue* (NBC television broadcast Dec. 5, 1990); see also Transcript of *Donahue* 8 (Dec. 5, 1990), available at [www.drjudithreisman.com/archives/Donhue2%2012-5-90.pdf](http://www.drjudithreisman.com/archives/Donhue2%2012-5-90.pdf).

TRIPP: Oh, certainly not, but they were, in her [Reisman's] sense, criminals because they were pedophiles but they were trained observers.<sup>58</sup>

***“Table 34: Examples Of Multiple Orgasm In Pre-Adolescent Males”***

AGE	NO. OF ORGASMS	TIME INVOLVED	AGE	NO. OF ORGASMS	TIME INVOLVED
5 mon.	3	?	11 yr.	11	1 hr.
11 mon.	10	1 hr.	11 yr.	19	1 hr.
11 mon.	14	38 min.	12 yr.	7	3 hr.
2 yr.	{ 7	9 min.	12 yr.	{ 3	3 min.
2½ yr.	{ 11	65 min.	12 yr.	{ 9	2 hr.
4 yr.	4	2 min.	12 yr.	12	2 hr.
4 yr.	6	5 min.	12 yr.	15	1 hr.
4 yr.	17	10 hr.	13 yr.	7	24 min.
4 yr.	26	24 hr.	13 yr.	8	2½ hr.
7 yr.	7	3 hr.	13 yr.	9	8 hr.
8 yr.	8	2 hr.	13 yr.	{ 3	70 sec.
9 yr.	7	68 min.	13 yr.	{ 11	8 hr.
10 yr.	9	52 min.	13 yr.	{ 26	24 hr.
10 yr.	14	24 hr.	14 yr.	11	4 hr.

**Table 34. Examples of multiple orgasm in pre-adolescent males**

Kinsey believes his child sex tortures are normal child “climax” “orgasm.”<sup>59</sup> For example, some boys “suffer excruciating pain and may scream if movement is continued or the penis even touched . . . . fight away from the partner.”<sup>60</sup> Some children exhibited: “...sobbing...sometimes with an abundance of tears (especially among younger children) . . . extreme trembling, collapse, and sometimes fainting...”<sup>61</sup> The “scientist” Kinsey concluded, “they derive definite pleasure from the situation.”<sup>62</sup>

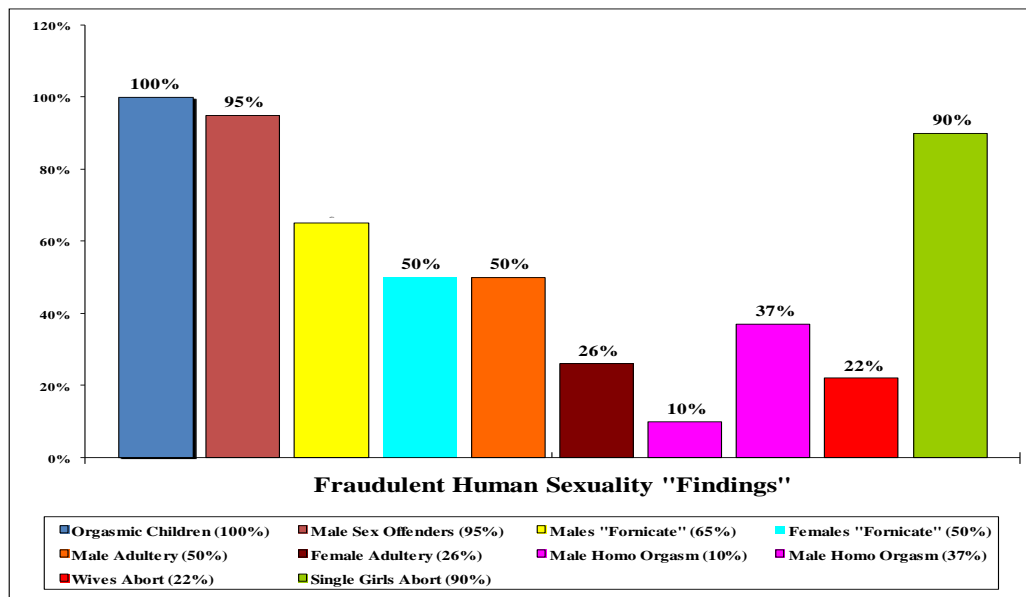
<sup>58</sup> *Id.*

<sup>59</sup> Alfred Kinsey, *et al.*, *Sexual Behavior in the Human Male* 161 (1948).

<sup>60</sup> *Id.*

<sup>61</sup> *Id.*

<sup>62</sup> *Id.*



*Not so.* 1948-1953 Kinsey says he interviewed 4,441 women and none were ever harmed by rape.<sup>63</sup> In the midst of this sexually puritan era, Kinsey defined a “wife” as a woman living over one year with a man, easily fitting a prostitute living with her pimp.<sup>64</sup>

The 1948-1953 data are frauds. Kinsey “forced” answers and changed his subjects’ answers. Head researcher at the Kinsey Institute, William Simon, divulged, “Kinsey interviewed 18,000 people *and used only a quarter of the cases in his two reports.*”<sup>65</sup> Much was never “coded on the IBM cards for statistical study.” Kinsey destroyed 75% of his “data” allowing 4,500 people to be reported as 12,000 or 21,000 people (he was quite flexible on the total number of subjects interviewed).

18. Forcing a subject. There are some persons who offer to contribute histories in order to satisfy their curiosity, although they have no intentions of giving an honest record of their sexual activities. As soon as one recognizes such a case, he should denounce the subject with considerable severity, and the interviewer should refuse to proceed with the interview.

### “Forcing a subject”

Kinsey “forced” the answer that he wanted. This invalidates any “science” morally and methodologically. Thousands of statutes, case decisions and laws turn on what Justice Breyer defined as an “understanding” of the “scientific subject matter,” that was provided by a sexually psychopathic pederast who wrote: “*If the interviewer’s manner spells surprise, disapproval, condemnation, or even cold disinterest, he will not get the whole of the record.*”<sup>66</sup> Yet, by

<sup>63</sup> Alfred Kinsey, *et al.*, *Sexual Behavior in the Human Female* 122 (1952).

<sup>64</sup> *Id.*

<sup>65</sup> *Id.*

<sup>66</sup> Judith Reisman, Ph.D., *Stolen Honor, Stolen Innocence: How America was Betrayed by the Lies and Sexual Crimes of a Mad “Scientist”* 58 (4th ed. 2013).

denouncing subjects, he said, “with considerable severity,” Kinsey *knew* he would “not get the whole of the record.”<sup>67</sup> He would write the record he wanted; this is pure propaganda.<sup>68</sup>

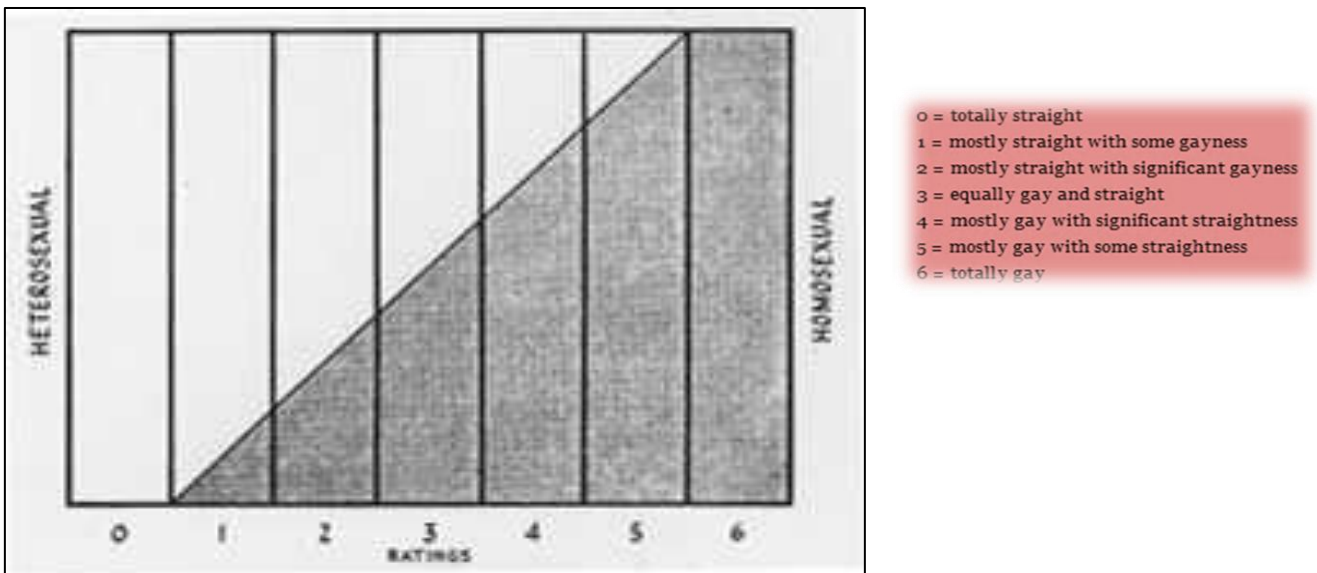
***“The Investigator” Can “Find Some Means” to Change the Data***

tory study. Nevertheless, in spite of all that may be done, a certain amount of deliberate cover-up may slip by, and the investigator must find some means of measuring the extent of that cover-up in each part of his data.

If they cannot “force” the right (“accurate”) answer, Kinsey said his team could “find some means of measuring the extent of [the] cover-up in each part of the data.”<sup>69</sup> Kinsey argued that once the “investigator” found a way to do so he could change the “data.”<sup>70</sup>

No methodology was identified as the “means of measuring the extent of that cover-up in each part of his data.”<sup>71</sup> Hence, no legitimate statistician could be allowed to work for Kinsey since a legitimate statistician could never confirm the “data” that has become global legal sexual mythology.

***Rockefeller critic said Kinsey “is no statistician.” Thus, Kinsey fabricated a statistician.***



In my book *Stolen Honor, Stolen Innocence* I report that the Rockefeller’s Warren Weaver’s objections to Kinsey’s lack of a statistician put his research in danger of defunding.<sup>72</sup>

<sup>67</sup> *Id.*

<sup>68</sup> *Id.*

<sup>69</sup> *Id.* at 59.

<sup>70</sup> *Id.*

<sup>71</sup> *Id.*

<sup>72</sup> *Id.* at 41.

As a sop to Corner, Kinsey gave \$500 to his old friend the astronomer Frank Edmondson and pretended he was active on the staff” [as a statistician]. When the three American Statistical Association representatives arrived, Edmondson, Kinsey’s ‘statistician,’ remarked that the committee had no idea “of what Kinsey was up to.”<sup>73</sup>

No statistician could have put his professional name to Kinsey’s frauds. Hence the bogus “Kinsey Scale” took on the mantle of a statistically sound behavioral measurement. Instead, it was a fantasy image that Kinsey created and which has been etched in history as “fact.” It has been republished millions of times globally and is found throughout the internet.

### ***1948 Kinsey Fabricates His Bi/Homosexual “Scale”***

This pictorial myth spawned a belief system reaching into juvenile GLBTUQI literature to lay claim to a genetic state of bi/homosexuality for children. Kinsey claimed his research found homosexuals were 10% to 37% of the population.<sup>74</sup> Yet, Kinsey’s Kronhausen colleagues found a scant .05% of college men self-identified as homosexual in 1960.<sup>75</sup> In 1960 the Kinsey researchers reported on 200 College men: “Many were as romantic about sex as any girl... sex without love... premarital sexual intercourse...seemed utterly unethical.”<sup>76</sup> Sodomy was largely seen as homosexual/abnormal and 0.5% of these college men identified as homosexual. Moreover, a 1950 Yale University press headlined, “Poll Shows Virgins Abound at Yale” men and women.<sup>77</sup> Yet, well over 7,000 Kinsey citations in law, education, social science and medicine 1948 to the present sexually pathologized society.

### **WHAT IS THE LAW’S RESPONSIBILITY?**

In order to *begin* to repair the dishonorable decades-long support of Kinsey’s frauds and crimes against children and humanity, our judiciary is obliged to reexamine and correct Kinsey’s frauds and child sex atrocities in the law, where they were relied upon to turn our laws in order to turn our society.

### **A Sample of Kinsey in Authoritative Law Journals.**

A 1950 Illinois Law Review predicted that the Kinsey Report would change the law, judges would heed the use of his data, and the data would condition official action.<sup>78</sup> This prediction has been upheld. Thousands of law journals have been tainted, citing Kinsey as a primary source and his findings in secondary and tertiary sources, 1948 to 2013.

In a 2013 law review article, the Kinsey voice is heard yet again, in a chorus of hundreds of other law review phrases identical to the Report, that the “female breast is no more or less a

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<sup>73</sup> *Id.*

<sup>74</sup> *Id.* at 90.

<sup>75</sup> Phyllis Kronhausen & Eberhard Kronhausen, *Sex Histories of American College Men* 219 (1960).

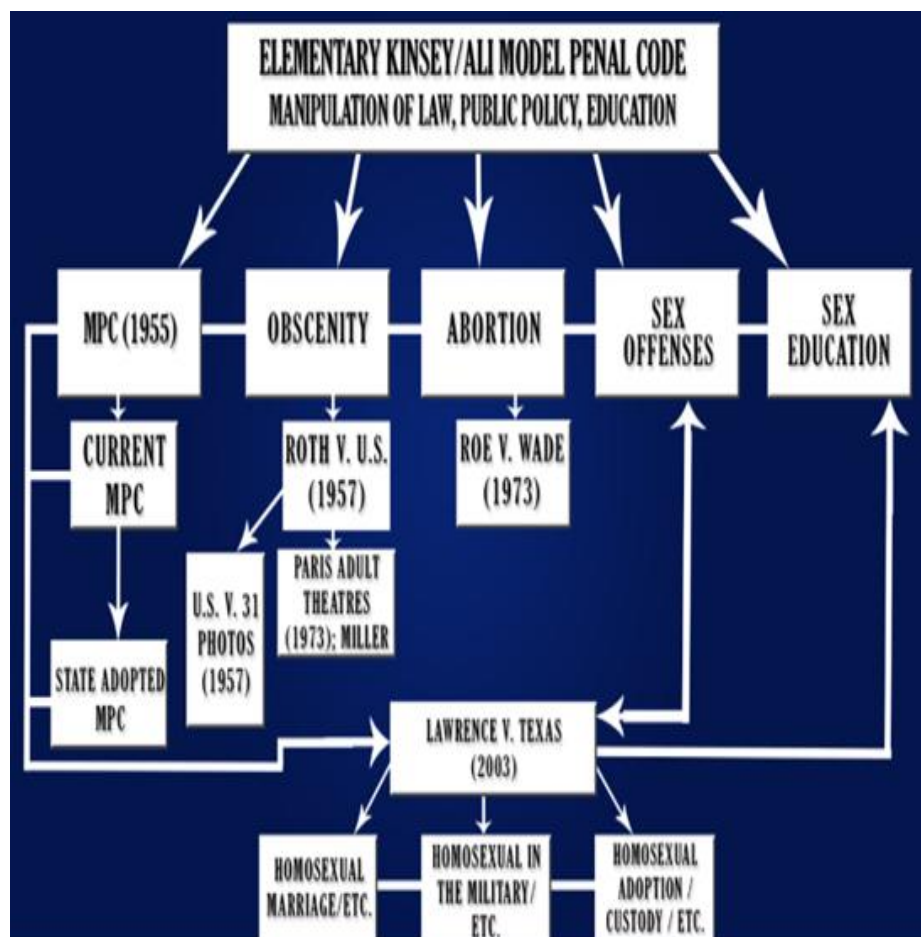
<sup>76</sup> *Id.* at 101.

<sup>77</sup> Yale Newspaper, January 31, 1950.

<sup>78</sup> Frank E. Horack, Jr., *Sex Offenses and Scientific Investigations*, 44 Ill. L. Rev. 156, 158 (1950).

sexual organ than is the male equivalent,” etc.<sup>79</sup> Then, as now, law review journals within the legal field are heeded, while their impact on the Model Penal Code (MPC) and vice versa cannot be underestimated.<sup>80</sup>

The MPC bridged the gap between the academic journals, espousing radical innovations based on Kinsey’s fraudulent data, and the ultimate statutes enacted and decisions rendered, which gave those radical innovations based on the Kinsey vision the full force of law. It is documented that the MPC removed many common-law protections for women and children as unscientific.<sup>81</sup> Using Kinsey’s “data” that children are “sexual from birth,”<sup>82</sup> it was *seriously argued* that a four or five-year old girl may have such “seductiveness” as to overwhelm adults into sexual activity with her.<sup>83</sup> The MPC promoted this “scientific fact” of alleged child sexuality and accordingly reduced or eliminated protections for children. A closet pedophile, Kinsey’s data appear in law journals today: a dead pedophile still pulls the strings of public policy.



<sup>79</sup> Lawrence M. Friedman & Joanna L. Grossman, *A Private Underworld: The Naked Body in Law and Society*, 61 Buff. L. Rev. 169, 195 (2013).

<sup>80</sup> *Id.* at 188.

<sup>81</sup> *Id.*

<sup>82</sup> *Id.* at 224.

<sup>83</sup> Dr. Ralph Slovenko & Cyril Phillips, *Psychosexuality and the Criminal Law*, 15 Vand. L. Rev. 797, 809 (1962).

## 1930 to 1967 “Sexual psychopath” Laws Upturned by Kinsey Fraudulent Data

On March 20, 1937, a nine-year-old girl’s mutilated body was found in a burlap sack. Within hours, a twenty-six-year-old barber confessed to raping and bludgeoning her to death with a hammer in his Brooklyn Barbershop.<sup>4</sup> On July 31 of the same year, an eight-year-old girl was found nude in the cellar of her Brooklyn home. The police interrogated an ex-convict for seventeen hours, allegedly beating him with a rubber hose, before he confessed.<sup>5</sup> Less than one month later—on August 13—a house painter for the Works Progress Administration used a grasshopper in a milk bottle to lure a four-year-old girl to a deserted house near a Staten Island swamp. After attempting to sexually assault her, the man strangled the girl with the straps of her red bathing suit and then dropped a fifty pound brick on her back.<sup>6</sup>

Kinsey had to overturn the anger and fear of the public following a series of rapes and murders of little girls. On March 20, 1937 in New York, the public was outraged by the report of a child who was raped, mutilated and murdered.<sup>84</sup> July of that same year another little girl was violated by an ex-convict, and in August a third little girl was sexually molested and murdered.<sup>85</sup>



Kinsey and his cabal, funded and supported by the powerful Rockefeller Foundation, ridiculed “hysterical” parents and public concerns about such child rapists and murders. He

<sup>84</sup> Tamara Rice Lave, *Only Yesterday: The Rise and Fall of Twentieth Century Sexual Psychopath Laws*, 69 La. L. Rev. 549, 550 (2009).

<sup>85</sup> *Id.*

fought the “sexual psychopath” laws that cancelled their parole option for murders.<sup>86</sup> His fraudulent data lead to parole for child rapists and worse, fully supported by important mental “health” agencies like the Group For the Advancement of Psychiatry (GAP).<sup>87</sup> We have since returned to the idea of “permanent incarceration” for such violent criminals.

### **1948 to 2013 U.S. Supreme Court Justice Stephen Breyer:**

“[L]aw cases can turn almost entirely on an understanding of the underlying . . . scientific subject matter.”<sup>88</sup>

### ***Pre 60s “Sex Revolution”:***

- 1948: Law commissions; Kinsey’s “data” *prove* sex laws are hypocritical.
- 1950: GAP backs Kinsey/Hefner “sexual rights,” sodomy, fornication, etc.
- 1953: Kinsey backs Hay’s gay rights;” sodomy, adultery, cohabitation, etc.

**1948** Kinsey “proves” 95% of men sex offenders, *end/or lighten 52 sex crimes, like:*

- Sodomy
- Bestiality
- Voyeurism
- Obscenity
- Fornication
- Adultery
- Seduction, etc
- Rape--by force
- Statutory Rape
- Crimes Against Infants [minors]
- Contraception
- Abortion
- Cohabitation<sup>89</sup>

### **1948 Ernst & Loth, American Sexual Behavior & The Kinsey Report:**

“[O]ur laws and customs are designed to protect the family, and at the base of the family is the father.” Yet Kinsey found father is “quite different from anything the general public had supposed . . .”<sup>90</sup> It has been rather complacently assumed by a great many Americans that sexual activity for men outside the marriage bond is as rare as it is offensive to the publicly proclaimed standards of the people... strengthened by the bulk of popular literature and entertainment . . . [and] the almost savage penalties which many State laws attach to such activities [as adultery].<sup>91</sup>

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<sup>86</sup> Judith A. Reisman, *Stolen Honor, Stolen Innocence* 212 (2013).

<sup>87</sup> *Id.* at 212-13.

<sup>88</sup> Stephen Breyer, *The Interdependence of Science and Law*, Science Magazine, Apr. 1998, at 537.

<sup>89</sup> Judith Reisman, Ph.D., *Kinsey: Crimes and Consequences* 195 (2000).

<sup>90</sup> Morris L. Ernst & David Loth, *American Sexual Behavior and the Kinsey Report* 83, 81 (1948).

<sup>91</sup> *Id.*

**1948 Judge Morris Ploscowe, *Sex Patterns & the Law*:**

[V]irtually every page of the Kinsey Report touches on some section of the legal code . . . law, like our social pattern, falls lamentably short of being based on a knowledge of facts.” “[A] total clean-up of sex offenders...[would] put 95% of the male population in jail...”<sup>92</sup>

One of the conclusions of the Kinsey report is that the sex offender is not a monster... but an individual who is not very different from others in his social group, and that his behavior is similar to theirs. The only difference is that others in the offender’s social group have not been apprehended. This recognition that there is nothing very shocking or abnormal in the sex offender’s behavior should lead to other changes in sex legislation. ...In the first place, it should lead to a downward revision of the penalties presently imposed on sex offenders.<sup>93</sup>

**1948 Judge Morris Ploscowe, *Sex Habits of American Men*:**

[E]nforcement of the prohibitions of sex legislation [are a] failure, our sex crime legislation is completely out of touch with the realities of [life]. [T]he law attempts to forbid an activity which responds to a wide human need . . . . [N]o bar association, law school journal, or lawyers’ committee can consider laws . . . on sexual matters without reference to the Kinsey study. Kinsey’s first volume ended an era . . . . [It is] the single greatest contribution of science to the . . . law in my lifetime [more than] the Brandeis Brief.<sup>94</sup>

**1948 Louis Schwartz, University of Penn Law Review:**

[I am] in favor of the individual visionaries who are willing to pay the personal cost to challenge the old moral order . . . . People resist “when smaller numbers of articulate opinion-makers launch an open attack on the old . . . traditional faith . . . . Sexual penal reforms can . . . [be] eased into the written law . . . [as] merely technical improvements.”<sup>95</sup>

**1949 Kinsey Testimony to the California “Subcommittee On Sex Crimes”:**

“Our sample...95 percent of nearly 9,000 males in our histories.” Kinsey explained to the legislators that his extensive data on children proved they are unharmed by sex; that molesters don’t repeat their crimes and hence we should parole all sex criminals. The committee had been organized to strengthen California’s sex crime penalties. After hearing from Dr. Kinsey they recommended widespread paroles, leniency.<sup>96</sup>

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<sup>92</sup> Morris Ploscowe, *Sexual Patterns and the Law*, in *Sex Habits of American Men* 121, 125-26 (Albert Deutch, ed., 1948).

<sup>93</sup> *Id.* at 125-26, 133-34.

<sup>94</sup> *Id.* at 245.

<sup>95</sup> Louis B. Schwartz, *Sexual Behavior in the Human Male*, 96 U. Pa. L. Rev. 1947, 1947-48 (1948); *see also* Louis Schwartz, *Morals Offenses and the Model Penal Code*, in *Morality and the Law* 90, 91 (R.A. Wasserstrom, ed., 1971).

<sup>96</sup> THE SUBCOMMITTEE ON SEX CRIMES OF THE ASSEMBLY INTERIM COMMITTEE ON JUDICIAL SYSTEM AND JUDICIAL PROCESS (Preliminary Report), H. Res. 232-1949, 43-1949 at 103, 105, 117 (Cal.1949).

### **1950 GAP: “persons under the age of 7...” are responsible for “sexual behavior”**

The Group for the Advancement of Psychiatry’s pedophile bias in their “child” language:

***With One Adult....persons under 7 . . . . many*** are by endowment and training fully capable of part or exceptionally even full responsibility for sexual behavior....in the later age levels the legal concepts of rape and of contributing to delinquency become increasingly untenable.<sup>97</sup>

GAP: “*With One Adult*” quotes Kinsey throughout and supports his claim that “Adult” sex with children is harmless and perhaps common. Sociologist David Allyn quotes GAP’s report that, “Kinsey’s data were the points by which we steered.”<sup>98</sup>

### **1950 Paul Tappan’s “New Jersey Commission on the Habitual Sex Offender”:**

Tappan reported that the Commission relied on Kinsey’s sexual expertise. Tappan, a young Kinsey devotee, never produced any evidence of the harmlessness of the sex conduct he and GAP claimed were “common.” [I]n his data *and in conferences with the Commission* [Kinsey showed] behavior in conflict with our legal and moral codes is exceedingly common.<sup>99</sup>

### **1950 Frank Horack, Jr Kinsey’s Impact Govern Sex Laws:**

The principal impact of the Kinsey Report will be on . . . the law. It will . . . aid police officers, prosecutors, judges, probation officers and superintendents of penal institutions [in] judging individual cases . . . Officials will read it. Defense counsel will cite it. Even when not offered into evidence, it will condition official action. Psychiatrists, psychologists, penologists, juvenile and probation officers . . . they will use the data and their professional advice will be heeded by the judge . . . Here the Report will control many decisions and dictate the disposition and treatment of many offenders.<sup>100</sup>

### **1950 Journal of Criminal Law and Criminology, The Sexual Psychopath Laws:**

‘In recent years several states have made an effort to protect the public from “sexual psychopaths” (“persons with criminal propensities to the commission of sex offenses”) by authorizing their commitment to mental institutions.” Implicit in

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<sup>97</sup> Manfred Guttmacher, *Psychiatrically Deviated Sex Offenders, Report No. 9* (Comm. on Forensic Psychiatry of the Grp. for the Advancement of Psychiatry 1950).

<sup>98</sup> David Allyn, *Private Acts/Public Policy: Alfred Kinsey, the American Law Institute and the Privatization of American Sexual Morality*, 30 J. of American Studies 3, 405-28 (1996).

<sup>99</sup> Paul Tappan, *The Habitual Sex Offender: Report and Recommendations of the Commission on the Habitual Sex Offender* 19 (1950).

<sup>100</sup> Frank E. Horack, Jr., *Sex Offenses and Scientific Investigations*, 44 Ill. L. Rev. 156, 158 (1950).

these laws is an ideology which has been made explicit in an extensive popular literature....'<sup>101</sup>

### 1952 Herbert Wechsler, Harvard Law Review, The Challenge of a Model Penal Code:

“the penal law is ineffective, inhumane and thoroughly unscientific,” based on the “high” rates of serious offenses and recidivism. Wechsler advocates a national Penal Code, a Model with fewer sex laws, more sex freedom, therapy and parole for criminals. The result? More, worse crime, and increased recidivism.”

### 1953 The Illinois Commission on Sex Offenders:

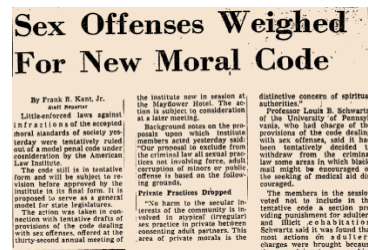
‘The cultural tendency to overprotect women and children [is] often...more detrimental to the...victim than the offense itself....[M]inimiz[e] ...publicity given to sex crimes....Kinsey’s findings ... permeate all present thinking on this subject.’<sup>102</sup>

### 1954 Congress is Denied The Kinsey File--Rene Wormser, Congressional Attorney:

[T]he Kinsey data was stopped by a combined effort of the Republicans and the Democrats....The Kinsey file never saw the light of day. [The committee concluded] ...an elite has emerged, in control of gigantic financial resources operating outside of our democratic processes....for their own political ends.<sup>103</sup>

### 1955 A Penal Code Media Blitz: Washington Post:

Professor Wechsler's immediate associates are Louis B. Schwartz, Professor of Law at the University of Pennsylvania, and Paul W. Tappan, Professor of Sociology at New York University. Tentative proposals are submitted to a thirty-five man advisory committee of judges, lawyers, psychologists, penologists and other experts.



A spate of carefully strategized press releases appeared touting the new model penal code; “Sex Offenses Weighed For New Moral Code” “Little-enforced laws against infractions of the accepted moral standard of society yesterday were tentatively ruled out of a model penal code under consideration by the American Law Institute . . . . No harm to the secular interests of

<sup>101</sup> Edwin H. Sutherland, *The Sexual Psychopath Laws*, 40 J. of Criminal Law and Criminology 543, 543 (1950).

<sup>102</sup> ILLINOIS COMM’N ON SEX OFFENDERS, REPORT OF THE ILLINOIS COMM’N ON SEX OFFENDERS TO THE 68TH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS 8, 9, 36, 11 (1953).

<sup>103</sup> Judith Reisman, *Stolen Honor, Stolen Innocence*, 270-71 (2012); *see also* Rene Wormser, *Foundations: Their Power and their Influence* 100-01 (1993).

the community is involved.”<sup>104</sup> “A NEW PENAL CODE IS BEING DRAFTED” and “Model for Legislatures Will Seek to Modernize and to Simplify Present Acts.”<sup>105</sup>

### **1955 The American Law Institute Model Penal Code Draft goes to Legislatures:**

The American Law Institute is the education arm of the American Bar Association, (originally funded by the Carnegie Foundation) which accredits all law schools.

### **1955 Draft No. 4: Model Penal Code (MPC) “Sex Offenses” 197 “Sex Offenses” Footnotes:**

- 100% cite Kinsey as the pioneering authority for “data” that promiscuity, even child molest, is normal, and sodomy and sex deviance common *harmless* American behavior.
- *Not Freud, not Masters & Johnson, NO* sexpert is cited by MPC, law journals and sex related legal cases, more than Kinsey.

### **MPC If Legal It Can Be Taught As “Education”:**

Anal sodomy is taught to school children as sex education after the *Lawrence v. Texas* decision. Long term, indefinite imprisonment of “male sexual psychopaths” was the reform movement of the thirties. In 1937: J Edgar Hoover under “Common Law” authority launched a “war on the sex criminal.... a sinister threat to American childhood and womanhood.”<sup>106</sup>

10 and 16. Despite the indication that 12 is the commonest age for the onset of puberty, it seems wise to go well outside the average or modal age, and it is known that significant numbers of girls enter the period of sexual awakening as early as the tenth year. Substantially all will have completed the transition by the end of the fifteenth year,

It is generally provided or held under present law that even a reasonable mistake as to the age of the girl does not exculpate or mitigate the offense.<sup>135</sup> Ploscowe has severely criticized this legislative and judicial attitude in cases where the girl is over 10 years old, on two grounds: (1) over the age of 10, the sexual act begins to lose its abnormality and physical danger to the victim; (2) bona-fide mistakes in age can be made more easily by men who are not essentially dangerous where the girl is physically more developed. He recommends that a reasonable belief that the girl was above the age of consent be permitted as a defense to the charge of “statutory rape.”

<sup>104</sup> Frank R. Kent, *Sex Offenses Weighed for New Moral Code*, Washington Post, May 20, 1955, at 44.

<sup>105</sup> *A New Penal Code is Being Drafted*, New York Times, July 24, 1955, at 68.

<sup>106</sup> Judith A. Reisman, *Stolen Honor, Stolen Innocence* 212 (2013).

### 1955 GAP says “girls enter the period of sexual awakening as early as the tenth year”:

“Despite the indication that 12 is the commonest age for the onset of puberty, *it seems wise* to go well outside the average or model age, and it is known that significant numbers of **girls enter the period of sexual awakening as early as the tenth year.**”<sup>107</sup> .... “Kinsey’s statistics based upon the recall of adults indicate the following median for development: 12.3 years for pubic hair; 12.4 years for breast development; 13.0 years for first menstruation.”<sup>108</sup>

### 1955 Kinsey, *Sex Offenses Authority*, Says Sodomy, All Deviance Harmless:

In the Model Penal Code, Kinsey is in 50% of *Sex Offenses*. He is quoted in 75% (9/12) of “Frequency of Sexual Deviation” and “Sodomy and Related Offenses.”<sup>109</sup> He invented false proofs of harmless sodomy and masturbation as non-addictive, which time has subsequently confirmed can be lethal. And the GAP and crime commission data on children turned wholly on Kinsey’s personal testimony. *BUT*, Kinsey data are inventions of a bi/homosexual S/M pederast masturbatory addict. His early death involved “orchitis,” a disease linked to genital self-torture in concert with STDs.

### 1955 ALI MPC Louis Schwartz “Consent”:

MPC: If legal it can be “education”		
Laws	1948	Post 1955
Obscenity/Porn	Prison, fines	Legal taught in schools
Age of Consent	16, 18, 21 years old	Can be 12 to 18
Rape	Death in 18, Life in 22 States	6 months to 4 years
Statutory Rape	Death in 16 States	0 months to 2 years
Seduction	Prison and/or Fines	Legal (consent)
Adultery	Prison and/or Fines	Decriminalized
Divorce	Fault: Alimony, estate	No Fault, No Alimony
Child Custody	Mother	Financially based
Abortion	Absent grounds “Punished”	Legal in most cases
<b>Oz/anum sodomy</b>	<b>Prison and/or Fines</b>	<b>Legal taught in schools</b>

“Contrary to existing law...any behavior participated in by small groups of consenting adults” should be legal.” For, “*the legal profession thinks some of the clamor over sex offenses may be due to hysteria.*”<sup>110</sup>

<sup>107</sup> Model Penal Code § 213.1(1)(d).

<sup>108</sup> Judith A. Reisman, *Stolen Honor, Stolen Innocence* 234 (2013).

<sup>109</sup> See generally Model Penal Code.

<sup>110</sup> David Allyn, *Private Acts/Public Policy: Alfred C. Kinsey, the American Law Institute and the Privatization of American Sexual Morality* 30 J. American Studies 424 (Dec. 1996) (emphasis added).

### **1955 ALI draft committee meetings:**

[Kinsey acolyte, historian David Allyn] “The committee voted . . . to eliminate adultery from the model penal code. In fact, by the time the code was published in 1960, it closely matched Schwartz and Ploscowe’s original intentions, which were based on the logic of the Kinsey reports....”<sup>111</sup>

### **1955 Model Penal Code Sex Offenses:**

Kinsey disciple, Johnathan Gathorne-Hardy biographer; the MPC is “virtually a Kinsey document...cited six times in twelve pages.”<sup>112</sup> The MPC reduced or ended sex offense penalties by using Kinsey’s frauds and atrocities against children as “science.” His “data” proving child abuse, pornography, adultery, fornication, abortion, sodomy, etc. harmless and normal American behavior would gut biblically based common laws.

### **1955 MPC “Privatizes” What Was Once “Public” Morality, Now Taught in Schools:**

Post 1970’s laws protecting “public morals” are gutted as the ALI builds “its model penal code in accordance with Kinsey’s scientific discoveries—by privatizing most moral questions.”

[When] “the Supreme Court ruled on *Roth v. the United States* (1957) and *Griswold v. Connecticut* (1965)...[b]oth cases drew on the model penal code’s distinction between public and private sexual expression, which, in turn, drew on the work of Alfred Kinsey. [Post Kinsey]...the state-controlled, highly regulated moral economy of the past gave way to a new, “deregulated” moral market.”<sup>113</sup>

### **1955 *Lawrence v. Texas* (2003) — Justice Antonin Scalia’s Dissent:**

“In relying, for evidence of an ‘emerging recognition,’ upon the American Law Institute’s 1955 recommendation not to criminalize ‘consensual sexual relations conducted in private,’ ante, at 11, the Court ignores the fact that this recommendation was ‘a point of resistance in most of the states that considered adopting the Model Penal Code.’”<sup>114</sup>

### **1957 Nebraska Law Review:**

[In 1947] ....the Nebraska Legislature adopts a *Sexual Psychopath Statute*...The committee on Crime and Delinquency Prevention was concerned about the increase in sex crimes and the need for new laws to protect society from the sex offender. In 1955, however....the legal profession thinks some of the clamor over sex offenses may be due to “hysteria.”<sup>115</sup>

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<sup>111</sup> *Id.* at 425, 425–27.

<sup>112</sup> Judith A. Reisman, *Stolen Honor, Stolen Innocence* 270-71 (2013).

<sup>113</sup> Allen, 30 J. of American Studies at 406-07.

<sup>114</sup> *Lawrence v. Texas*, 539 U.S. 558, 597 (2003).

<sup>115</sup> Domenico Caporale & Deryl F. Hamman, *Sexual Psychopathy – A Legal Labyrinth of Medicine, Morals, and Mythology*, 36 Nev. L. Rev. 320, 321 (1957) (emphasis added).

### 1958-59 FBI Uniform Crime Rate:

The FBI Uniform Crime Report minimized sex crimes by excising “statutory rape” and victims under age-12.<sup>116</sup> DOJ recently returned sex crimes against children under age 12 to some crime rape statistics, not all.

### 1961 Beryl Levy, Columbia Law Professor in “Sexology”:

“*What is Rape?*”? “Women may have rape fantasies . . . .The law of statutory rape might well bear some re-examination to determine if it is still carrying out the old common-law idea, which was protection of innocent young maidens.”<sup>117</sup>

### 1962 Vanderbilt Law Review:

“Even at the *age of four or five, [her] seductiveness* may be so powerful as to overwhelm the adult into committing the offense....The affair is therefore not always the result of the adult’s aggression; often the young female is the initiator and seducer.”<sup>118</sup>

### 1965 Illinois Commission on Sex Offenders:

“Sex education is” the best “step in *crime prevention* which Illinois can make.”<sup>119</sup> In 2011: *Illinois has a 754% increase in violent crime per capita over 1965.*<sup>120</sup>

### 1966 Judge Morris Ploscowe in Brooklyn Law Review:

“[A] girl at puberty fully understands...sexual intercourse and the fiction of non-consent, which the law sets up, does not correspond to the facts....As revealed in [Kinsey’s] data *and in his conferences with the Commission*, behavior in conflict with our legal and moral codes is exceedingly common.”<sup>121</sup>

### 1969 Georgia Law Review:

“Child molestation is a “relatively minor crime.” The “absurdity of enforcing most of our sex laws...should be obvious, *even to the most prudish Neo-Puritans.*”<sup>122</sup> States pedophiles are the largest number of offenders, but claims they have a low rate of recidivism.

### 1973 Missouri Law Review:

“The label rapist’. . . should not ordinarily be used in the statutory non-consent cases.” [Rape and child abuse] “carry extremely severe punishment. Those few

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<sup>116</sup> Judith A. Reisman, *How the FBI and DOJ Minimize Child Sexual Abuse Reporting*, Inst. for Media Educ. (2002), available at [http://www.drjudithreisman.com/archives/2014/01/how\\_the\\_fbi\\_and.html](http://www.drjudithreisman.com/archives/2014/01/how_the_fbi_and.html).

<sup>117</sup> Beryl Levy, *What is Rape?*, Sexology 744-48 (June 1961).

<sup>118</sup> Dr. Ralph Slovenko & Cyril Phillips, *Psychosexuality and the Criminal Law*, 15 VAND. L. REV. 797, 809 (1962) (emphasis added).

<sup>119</sup> Illinois Law Enforcement Agency, *Illinois Uniform Crime Rates 1960-2012*, Disastercenter.com (2013), available at <http://www.disastercenter.com/crime/ilcrime.htm> (last visited January 16, 2014).

<sup>120</sup> *Id.*

<sup>121</sup> Morris Ploscowe, *Sex Offenses in the New Penal Law*, 32 Brooklyn L. Rev. 274 (1966).

<sup>122</sup> Note, *Pedophilia, Exhibitionism and Voyeurism: Legal Problems in the Deviant Society*, 4 Ga. L. Rev. 149, 150 (1969) (emphasis added).

who are punished are dealt with cruelly, to the satisfaction of no one except a *shrinking frenetic fringe of maniacal moralists*.”<sup>123</sup>

**1983 New Jersey Law Journal:**

“[T]he older term “rape” was fraught with negative emotion and [is] unrealistic for this era. . . . There is no justification for the perception that the female is a unique creature, harmed in some unique way by untoward sexual behavior.”<sup>124</sup>

**1989 UCLA Law Review:**

“Towards Equal Protection: In 1981, *Kinsey Institute stats* show that by adolescence “sexual preference is likely to be already determined...a biological basis for sexual preference.”<sup>125</sup>

**1986 Yale Law Journal:**

“The Model Penal Code provisions on rape were first presented to the American Law Institute in 1955 and were ultimately adopted in 1962. Since that time, they have been enormously influential: Many states today enforce rape laws based on, or at least significantly influenced by, the Code. [By] 1980, the final Commentaries...applaud the 1962 Code.... praised as a “fresh,” “balanced,” and “enlightened” ... in providing statutory definitions for the elements of rape.”<sup>126</sup>

Kinsey & Co view of rape, including child rape, turns new rape rules; victims sign a police complaint within three months; testimony corroborated by other evidence; jury receives “cautionary instruction to evaluate the victim’s testimony with special care.”

**1990 The American Bar Association:**

80% of convicted child molesters are paroled and serve no prison time. Instead, a predator commonly receives tax paid “treatment for his sexual orientation to children.”<sup>127</sup> A spate of examples follow from thousands of post 1990 law journal Kinsey kudos; None reveal his vicious sex crimes against children or his statistical sex frauds meant to deceive and change the world.

**1991 Military Law Review:**

“The sexual histories of the 5300 subjects in the Kinsey study revealed a surprising incidence of homosexual experience in the general population.”<sup>128</sup> *Kinsey’s fraudulent methodology, data, and child atrocities are not cited, nor his closet serial homosexuality-a relevant fact.*

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<sup>123</sup> Orville Richardson, *Sexual Offenses Under the Proposed Missouri Criminal Code*, 38 Mo. L. Rev. 371, 372, 383 (1973) (emphasis added).

<sup>124</sup> C. Nemeth, *How New Jersey Prosecutors View the New Sexual Offense Statutes*, New Jersey L.J. 6 (May 5, 1983).

<sup>125</sup> Janet E. Halley, *The Politics of the Closet: Towards Equal Protections for Gay, Lesbian and Bisexual Identity*, 36 UCLA L. Rev. 915, 938 (1989).

<sup>126</sup> Susan Estrich, *Rape*, 95 Yale L.J. 1087, 1134 (1986).

<sup>127</sup> Executive Summary. State Justice Institute, Grant, SJI-88-11J-E-015, 1990, at 7.

<sup>128</sup> Jeffrey S. Davis, *Military Policy toward Homosexuals: Scientific, Historical, and Legal Perspectives*, 131 Mil. L. Rev. 55, 63 (1991).

### **1992 University Puget Sound Law Review:**

“Growing awareness that there is no specific group of individuals who can be labeled sexual psychopaths by acceptable medical standards and that there are no proven treatments for such offenders has led such professional groups as the **Group for the Advancement of Psychiatry**...urge that these [sexual psychopath] laws be repealed.”<sup>129</sup>

*Recall GAP was “steered” by Kinsey and quoted this sexual psychopath almost verbatim. A sexual psychopath advising on sexual psychopathology.*

### **1992 Yale Law Journal:**

*“The actual Kinsey findings – which everyone cites but no one reads -- remain the best empirical evidence of male homosexuality in America....”* (Prof. Posner).<sup>130</sup>

### **1993-1994 Stanford Law Review:**

Kinsey is quoted, cited, named 16 times. Author, Halley critiques Bailey and Pillard, who asked subjects to rate themselves for adult fantasy and behavior on the Kinsey scale. Bailey and Pillard relied on and “flouted” the Kinsey scale to judge orientation.<sup>131</sup>

### **1994 Amicus Brief Exposing Kinsey’s Fraudulent Data Helped Win *Steffan v. Aspin*:**

Brandeis Brief relied on Reisman’s research. Sponsored by the Admirals and members of the US Naval Aviation Foundation, it was instrumental in maintaining “Don’t Ask, Don’t Tell” as military policy. This brief’s arguments were missing in the 2010 decision to repeal DADT.<sup>132</sup>

### **1994 Wayne Law Review:**

“The Sixth Circuit also digested the available social science for the benefit of other courts (“The following sentences represent cumulative summaries of Kinsey’s authoritative works on homosexual incidence”) and signaled [sic] them where to locate this information.”<sup>133</sup>

### **1995 Berkeley Women’s Law Journal:**

“Part III examines studies of sexual practices, in particular those by Alfred Kinsey [that]...provide a factual basis for...a tenuous correspondence between specific sexual

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<sup>129</sup> Beth Keiko Fujimoto, *Sexual Violence, Sanity, and Safety: Constitutional Parameters for Involuntary Civil Commitment of Sex Offenders*, 15 U. Puget Sound L. Rev. 879, 904 (1992) (quoting Samuel J. Brake *et al.*, *The Mentally Disabled and the Law* 743 (3d ed. 1985)).

<sup>130</sup> William N. Eskridge, Jr., *A Social Constructionist Critique of Posner’s Sex and Reason: Steps Toward a Gay Legal Agenda*, 102 Yale L.J. 333, 361 (1992).

<sup>131</sup> Janet E. Halley, *Sexual Orientation and the Politics of Biology: A Critique of the Argument from Immutability*, 46 Stan. L. Rev. 503 (1994).

<sup>132</sup> Brief for Naval Aviation Found., Inc., *et al.* as Amici Curiae Supporting Appellees, *Steffan v. Aspin*, 8 F.3d 57 (1994) (No. 91-5409), available at [http://www.drjudithreisman.com/archives/2010/12/steffan\\_brief.html](http://www.drjudithreisman.com/archives/2010/12/steffan_brief.html).

<sup>133</sup> Patricia K. Falk, *The Prevalence of Social Science in Gay Rights Cases: The Synergistic Influences of Historical Context, Justification Citation, and Dissemination Efforts*, 41 Wyo. L. Rev. 1, 34 n.124 (1994).

acts and the sexual identity of those who engage in the acts...different ways of conceptualizing sexual identities based on the resulting data.”<sup>134</sup>

#### **1997 Seton Hall Legislative Journal:**

“Kinsey, in the first significant research study on human sexuality, gathered substantial data on child sexual abuse by adults. Kinsey dismissed it in much the same fashion as Freud. It is impossible to measure the impact of the Kinsey studies on decision making.”<sup>135</sup>

Although Herman and others assert that Kinsey turned legislative decisions during the 1960s and 1970s, *Kinsey’s fraudulent methodology, data, and child atrocities are not cited.*

#### **1998 Northwestern University Law Review:**

“Kinsey’s books were particularly striking for two reasons: ‘nothing like them had ever appeared before [and they]...forced Americans to confront the gap between prescribed and actual behavior. The books thus challenged long-held, nearly sacred sexual beliefs...one-half of the married had engaged in extramarital intercourse...”<sup>136</sup>

#### **2000 Stanford Law Review:**

“[A]t least from the Kinsey studies onward, sexual orientation arrays itself along a continuum from exclusive heterosexuality to exclusive homosexuality.”<sup>137</sup>

#### **2001 Mental & Physical Disability Law Reporter:**

“In 1977, the **Group for the Advancement of Psychiatry (GAP)**, an original proponent of the alternative treatment laws, publicly called for their repeal, citing ineffectiveness and clinical invalidity. The American Bar Foundation also recommended repeal.”<sup>138</sup>

*Recall GAP was “steered” by Kinsey and quoted this sexual psychopath almost verbatim. A sexual psychopath advising on sexual psychopathology.*

#### **2001 Southern California Law Review:**

“The 10% figure, often cited by gay advocates, evolves out of Alfred Kinsey’s pioneering work of the mid-twentieth century.”<sup>139</sup>

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<sup>134</sup> Naomi Mezey, *Dismantling the Wall: Bisexuality and the Possibilities of Sexual Identity Classification Based on Acts*, 10 Berkley Women’s L.J. 98, 99 (1995).

<sup>135</sup> Charles A. Phipps, *Children, Adults, Sex and the Criminal Law: In Searc of Reason*, 22 Seton Hall Legis. J. 1, 78 (1997).

<sup>136</sup> Deborah W. Denno, *Life Before the Modern Sex Offender Statutes*, 92 Nw. U. L. Rev. 1317, 1372 (1998).

<sup>137</sup> Kenji Yoshino, *The Epistemic Contract of Bisexual Erasure*, 52 Stan. L. Rev. 353, 357 (2000).

<sup>138</sup> John W. Perry, *Shrinking Civil Rights of Alleged Sexually Violent Predators*, 25 Mental & Physical Disability L. Rep. 318 (2001).

<sup>139</sup> William B. Rubenstein, *Do Gay Rights Laws Matter?: An Empirical Assessment*, 75 S. Cal. L. Rev. 65, 84 (2001).

### 2003 California Law Review:

*"Kinsey shocked the nation by revealing that what is still considered "deviant sexual behavior" was far more common than deviant...careful, detailed, scientific, he...found childhood sexual activity was extremely common." 163 "Infants and toddlers demonstrated sexual response....40% of preadolescent boys had engaged in heterosexual play and 60% had engaged in homosexual play, with the average age of onset for such activity being 8.8 and 9.2 years respectively." Kinsey's fraudulent methodology, data, and child atrocities are not cited, nor were his sexual torture of infants and babies, more than invalidating the findings".<sup>140</sup>*

### 2003 Lawrence v. Texas:

Justice Kennedy cites the 1955 Model Penal Code sodomy footnotes for his opinion: 100% of these "Sex Offenses" cited to Kinsey research. *Justice Kennedy on Lawrence: 100% of Model Penal Code "Sex Offenses" are citations to Kinsey's research.*<sup>141</sup> The 1955 Model Penal Code legalized, "consensual sexual relations conducted in private . . . on three grounds:

- (1) The prohibitions undermined respect for the law by *penalizing conduct many people engaged in; [based on Kinsey's data]*
- (2) the statutes *regulated private conduct not harmful to others*; and
- (3) the laws....invited the danger of blackmail."<sup>142</sup>

Kinsey's fabrications hide the true **public price of sodomy**. *The Lawrence decision now allowed sodomy lessons in middle-high school, "grooming" children in sex "ed" training anal, oral, sex, "rimming," mutual masturbation, pornography, and role play (girl to kiss girl in class) leading to boy prostitution, VD, AIDS, impotence drug and alcohol abuse, child-child sex abuse, brutal sodomy-hazing, experimentation with homosexuality, autoerotic asphyxiation due to masturbatory addiction, see his own orchitis. Kinsey's fraudulent methodology, data, and child atrocities are not cited by Kennedy.*

### 2004 Fordham Urban Law Journal:

"Many of Kinsey's findings are subject to question because of a possible bias in the constitution of the sample. As the American Statistical Association points out, because Kinsey and his researchers had little guidance from statisticians trained in proper sampling methods, it is unlikely that unbiased inferences about the population can be drawn from the Kinsey data."<sup>143</sup>

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<sup>140</sup> Elizabeth Garfinkle, *Coming of Age in America: The Misapplication of Sex-Offender Registration and Community-Notification Laws to Juveniles*, 91 Cal. L. Rev. 163, 185-90 (2003).

<sup>141</sup> See *Lawrence v. Texas*, 539 U.S. 558 (2003).

<sup>142</sup> Judith Reisman, *Sodomy Decision Based On Fraudulent 'Science'*, HumanEventsOnline (Aug. 19, 2003), available at <http://www.humanevents.com/2003/08/19/sodomy-decision-based-on-fraudulent-science/> (emphasis added).

<sup>143</sup> Jonathan Klick, *Econometric Analysis of U.S. Abortion Policy: A Critical Review*, 31 Fordham Urb. L.J. 751, 757 (2004).

### **2005 University of Cincinnati Law Review:**

*“Kinsey . . . revolutionized views and discussions of sexual topics... Much of the public greeted the Kinsey books with open hostility, but mainstream media largely heralded Kinsey’s books.”*<sup>144</sup>

### **2007 Harvard Law Review:**

*[As Kinsey turned the law, fewer cases need to cite Kinsey, citing his derivatives]* “Finally, Kennedy cites the American Law Institute’s Model Penal Code and the British Wolfenden Report as evidence of an emerging consensus that same-sex sodomy should not be criminalized, in large part because the underlying activity is “private conduct not harmful to others.”<sup>145</sup>

### **2008 University of California Davis Law Review:**

“Doubts about Kinsey’s methods were raised were prevalent from the start and today most experts think his prevalence estimates for homosexuality were too high. In the 1950s and 1960s, though Kinsey’s figures were widely taken as roughly accurate, if not too low. “Karl Llewellyn, [the] ‘icon of American legal theory,’ was probably typical finding Kinsey’s figures on male homosexuality . . . unbelievable, but then slowly coming to accept them.”<sup>146</sup>

### **2009 Ave Maria Law Review:**

“Law educates the citizen . . . . Well-known individuals and organizations such as Margaret Sanger and the International Planned Parenthood Federation, Alfred Kinsey and his sexual education programs . . . spearheaded the revolution. Their ideas gradually penetrated the fabric of Western society. Today, a critical mass no longer seems capable of discerning good and evil.”<sup>147</sup>

“The biologist and zoologist, dubbed by his followers as the “father of sexology,” Alfred Kinsey[’s] . . . real objective was to bring about a sexual liberation of society. As a militant atheist, Kinsey wanted to deconstruct western Judeo-Christian morality, which he represented as repressive. His two publications . . . kicked off the western sexual revolution.”<sup>148</sup>

*Kinsey’s fraudulent methodology, data, and child atrocities are not cited, nor his homosexual serial adultery, a relevant fact.*

### **2009 Dukeminier Awards, *One Train May Hide Another*:**

“The panic about “lavender lads” in government and “the sex crime panic and Kinsey’s explosive findings, led police” to harass homosexuals...”<sup>149</sup>

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<sup>144</sup> Jennie G. Arnold, Comment, *United States v. Extreme Associates, Inc.: The Substantive Due Process Death of Obscenity Law*, 74 U. Cin. L. Rev. 607, 631 (2005) (emphasis added).

<sup>145</sup> Abdil Ahmad Haque, *Lawrence v. Texas And the Limits of the Criminal Law*, 42 Harv. C.R.-C.I. L. Rev. 1, 3 (2007)

<sup>146</sup> David Alan Sklansky, *One Train May Hide Another: Katz, Stonewall, and the Secret Subtext of Criminal Procedure*, 41 U.C. Davis L. Rev. 875, 903-04 (2008).

<sup>147</sup> Marguerite A. Peeters, *A Spousal Hour*, 8 Ave Maria L. Rev. 1, 8-9 (2009).

<sup>148</sup> *Id.* at 9 n.26 (quoting Marguerite Peeters, *Global Cultural Revolution and Paradigm Shifts* 13 (2009)).

<sup>149</sup> Sklansky, 41 U.C. Davis L. Rev. at 907, *reprinted in* 8 Dukeminier Awards J. (2009).

### **2010 Howard Law Journal, *America's War on Infidelity*:**

"One of the first studies to reveal the extent of extramarital affairs in America was a report by Dr. Alfred Kinsey, a zoologist at Indiana University..."<sup>150</sup>

### **2011 University of Cincinnati Law Review:**

Emens says polyamorous identity is embedded in the individual. She proposes a scale of polyamorous dispositions similar to Kinsey's homosexuality scale for orientation. Emens builds on the sex scale of "the pioneering sexologist Alfred Kinsey." Unlike Kinsey she measures "dispositions toward monogamy and polyamory," "identit[ies]" similar to "heterosexuality and homosexuality."<sup>151</sup>

*Kinsey's fraudulent methodology, data, and child atrocities are not cited, nor his homosexual serial adultery, a relevant fact*

### **2012 Georgetown Law Journal:**

"His chief innovation was the "Kinsey scale," which assessed sexual orientation along a continuum and are still the most . . . widely cited research on sexuality in the United States."<sup>152</sup>

### **2012 Georgetown Law Journal:**

"Kinsey reports . . . documented that Americans no longer conforming their private behavior to the natural law ideal reflected in the criminal law. . . into procreative marriage" preferring "nonprocreative or nonmarital activities."<sup>153</sup> Wechsler, the ALI Reporter and Louis Schwartz, the ALI sex crime writer view of crime "explicitly rejected natural law baselines," which ended up being ratified by the ALI in 1962 and "decriminalized consensual fornication, adultery, sodomy, and cohabitation."<sup>154</sup>

*Kinsey's fraudulent methodology, data, and criminal child atrocities are not cited, nor his secret homosexuality, a relevant fact.*

### **2013 Buffalo Law Review:**

"The judge relied on evidence from the Kinsey Report and other human sexuality sources [no "other sources" are cited] to say that the "female breast is no more or less a sexual organ than is the male equivalent."<sup>155</sup> Identical language was contained in the Kinsey Report. "Thus, this law review concludes that "Moir Johnston was right when she insisted she had the right to go topless on the streets of New York City."<sup>156</sup>

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<sup>150</sup> Clarence Clyde Ferguson, Jr., *The Forgotten Side of the Battlefield in America's War on Infidelity: A Call for the Revamping, Reviving, and Reworking of Criminal Conversation and Alienation of Affections*, 53 How. L.J. 377, 389 (2010)

<sup>151</sup> Ann E. Tweedy, *Polyamory as a Sexual Orientation*, 1461, 1494 (2011).

<sup>152</sup> Elizabeth M. Glazer, *Sexual Orientation*, 100 Geo. L.J. 997, 1008-09 (2012).

<sup>153</sup> William N. Eskridge, Jr., *Family Law Pluralism: The Guided-Choice Regime of Menus, Default Rules, and Override Rules*, 100 Geo. L.J. 1881, 1889 (2012).

<sup>154</sup> *Id.*

<sup>155</sup> Lawrence M. Friedman & Joanna L. Grossman, *A Private Underworld: The Naked Body in Law and Society*, 61 Buff. L. Rev. 169, 195 (2013).

<sup>156</sup> *Id.*

### 2013 Stanford Law Review:

“In *Lawrence v. Texas*, the Supreme Court struck down a Texas law criminalizing sexual relations between individuals of the same sex. The Court held that laws based on nothing more than moral disapproval lack a legitimate basis and are therefore unconstitutional.”<sup>157</sup>

But, since *Lawrence* was based on Kinsey law, it should have been taken into account. *Kinsey’s fraudulent methodology, data, and criminal child atrocities are not cited in the Model Penal Code upon which Lawrence was based, nor his secret homosexuality --a relevant fact.*

### Summary of the Law Journal Citations to Kinsey et al. 1948-2013

These are *only a few law reviews and journals* in which the educated, elite, legal, medical, and psychological mavens prove that they cite to that which they have either not read or to which have willfully turned a blind eye. As is evident from the many citations listed above, it is clear that those who choose to elevate Kinsey to some iconic role in modern science have simply failed to grasp the horrific child sexual abuse that took place in his “scientific experiments.” The truth, however, is that he was rampant homosexual pedophile and sexual deviant who masqueraded as a sexologist. Nevertheless, he had no formal training in anything even remotely related to human sexuality. Indeed, he was a biologist and zoologist. Giving any credence to studies produced by referring to Kinsey’s documented child sexual abuse is wholly misguided and should be rejected by anyone with a desire for the truth.

*The Lancet*, British Medical Journal summarized the scientific and ethical issues “Really, Dr. Kinsey?” March 2, 1998, at 547:

A lot more than the lyrics of Cole Porter will need rewriting unless serious charges against the late Alfred C. Kinsey and three of his colleagues are rebutted. The Kinsey reports (one in 1948 on males and the companion five years later) claimed that sexual activity began much earlier in life, was more varied and more frequent, and displayed less horror of age differences and same-sex relationships than anyone at that time imagined. It was as if, to follow Mr Porter again, “Anything goes”. In *Kinsey, Sex and Fraud* Dr Judith A. Reisman and her colleagues demolish the foundations of the two reports.<sup>1</sup> At the one-third mark the book switches target to the “liberal” codes of sexual morality and sex education that have been built, it is alleged, on the Kinsey findings. The important allegations from the scientific viewpoint are imperfections in the sample and unethical, possibly criminal, observations on children. Any questionnaire survey in a normally private area is subject to bias from differences in those who respond and those who refuse, and there is no ready means of checking the information. The book goes beyond that, however, for Kinsey et al questioned an unrepresentative proportion of prison inmates and sex offenders in a survey of “normal” sexual behaviour. Presumably some at least of those offenders were also the sources of information on stimulation to orgasm in young children that can only have come from paedophiles—or so it must be hoped. Kinsey, an otherwise

<sup>157</sup> Manuel Possoio, Note, *Morals Legislation after Lawrence: Can States Criminalize the Sale of Sexual Devices*, 65 Stan. L. Rev. 565, 565 (2013)

## 1957 Background for Legal Cases: *The Wolfenden Report*:

A leading British study of homosexuality and prostitution cited Kinsey as authority for decriminalization efforts. Immediately, American homosexual advocates cited Wolfenden to justify loosening American laws on sodomy and homosexuality. The result was the legitimization, and legalization, on both sides of the Atlantic of harmful conduct that had clearly been criminal. From its mid-20<sup>th</sup> century beginnings Kinsey's sexual standards have been imported into the law.

38. No inquiries have been made in this country comparable to those which the late Dr. Kinsey conducted in the United States of America. Dr. Kinsey concluded that in the United States, 4 per cent of adult white males are exclusively homosexual throughout their lives after the onset of adolescence. He also found evidence to suggest that 10 per cent of the white male population are more or less exclusively homosexual for at least three years between the ages of sixteen and sixty-five, and that 37 per cent of the total male population have at least some overt homosexual experience, to the point of orgasm, between adolescence and old age. Dr. Kinsey's findings have aroused opposition and scepticism. But it was noteworthy that some of our medical witnesses expressed the view that something very like these figures would be established in this country if similar inquiries were made. The majority, while stating quite frankly that they did not really know, indicated that their impression was that his figures would be on the high side for Great Britain.

The effect of Kinsey began with the two important Western nations and has spread out globally since. It now has directed the global world.

- Kinsey (a secret adulterer and fornicator) has been used as a judicial expert on adultery and fornication laws.
- Kinsey (a secret pedophile, his youngest "orgasm" victim was *2 months old*) has been a judicial authority for child abuse and age of consent.
- Kinsey (a secret bi/homosexual) has been a judicial expert on bi/homosexuality and sodomy.
- Kinsey (a secret pornographer) has been the authority for obscenity, sex education and for accreditation of sexuality teachers.
- Kinsey (a secret sexual harasser) has been the authority for sexual harassment.
- Kinsey (a secret sado-masochistic masturbator) has been authority for the harmlessness of masturbation.
- Kinsey (a secret sex criminal) has been authority for light penalties and parole of sex offenders.
- Kinsey's claims to have data showing abortion is common and harmless when performed by doctors, has been the authority for abortion.
- No area of our law relating to morals and sexual crimes remains free from his psychopathic influence.

**Law must set legal history and the cultural record straight.** For nearly seven decades, the judiciary has endorsed, thus invigorated and collaborated with the Kinsey Institute's frauds and child sex atrocities. Judicial acceptance of Kinsey's "data" as bone fide science mutated into a cultural contagion, turning Kinsey's toxic sex frauds and atrocities into "sex education" that daily indoctrinates millions of vulnerable school children.

#### **1865 "The Lincoln Law" Ends Obscenity In The United States Mail:**

"[N]o obscene book, pamphlet, picture, print, other publication of a vulgar and indecent character, shall be admitted into the mails of the United States" Strict sex laws would govern, control public morality.<sup>158</sup>

#### **1950 Hoover, FBI Reported A "Terrifying" Sex Crime Increase:**

"Kinsey scoffed at the idea . . . Kinsey pointed out that what the nation and the FBI were calling heinous crimes against *children were things that appeared in a fair number of our total histories, and in only a small number of cases was public attention ever aroused or the police involved. Kinsey . . . contended that, as far as so-called molestation of children was concerned, a great deal more damage was done to the child by adult hysteria [than by the sex crime against the child].*"<sup>159</sup>

**Consider what turns law turns the nation, the courts and sex education.** Kinsey disciples control the social sciences. "The *Science Citation & Social Science Citation Indices* from 1948 to 1997 yielded 5,796 academic publications that quoted Kinsey, far more than the next "sexuality" contender, Masters & Johnson, at 3,716."<sup>160</sup>

#### **1950 The Group for the Advancement of Psychiatry (GAP):**

**GAP's statement that a minor is sexually responsible under age 7** will direct the view of children in their citations in legal cases. Kinsey was the chief author of the view of **"persons stamped as minors."**

**"(Relations Involving One Adult)"** "[P]ersons under the age of 7 . . . many are by endowment and training fully capable of part or exceptionally even full responsibility for sexual behavior . . . in the later age levels the legal concepts of rape and of contributing to delinquency become increasingly untenable."<sup>161</sup>  
[Recall that] **"Kinsey's data were the points by which we steered."**<sup>162</sup>

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<sup>158</sup> Terrence J. Murphy, *Censorship, Government and Obscenity* 75 (1963).

<sup>159</sup> Wardell Pomeroy, *Dr. Kinsey and the Institute for Sex Research* 207-08 (1972); see also Judith A. Reisman, *Stolen Honor, Stolen Innocence: How America Was Betrayed by the Lies and Sexual Crimes of a Mad Scientist* 235 (4th ed. 2013) (bold emphasis added).

<sup>160</sup> Judith Reisman, *Sodomy Decision Based On Fraudulent 'Science'*, HumanEventsOnline (Aug. 19, 2003), available at <http://www.humanevents.com/2003/08/19/sodomy-decision-based-on-fraudulent-science/>.

<sup>161</sup> Manfred Guttmacher, *Psychiatrically Deviated Sex Offenders, Report No. 9* (Committee on Forensic Psychiatry of the Group for the Advancement of Psychiatry 1950).

<sup>162</sup> David Allyn, *Private Acts/Public Policy: Alfred Kinsey, the American Law Institute and the Privatization of American Sexual Morality*, 30 *Journal of American Studies* 3, 405-28 (1996) (referencing the 1947 GAP report).

### Cases citing GAP a secondary Kinsey source:

There are a plethora of cases citing to GAP as authority.<sup>163</sup> GAP, like *Lawrence v Texas*, relied on and cited to Kinsey for its analysis of American sexual behavior, which resulted in precedent having secondary and tertiary effects of Kinsey in the law.

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### 1955 MPC Most Rapists Get Light Penalties:

The ALI-MPC cites a California study relying on Kinsey's data that reported, "[T]he degree of recidivism was lowest for those convicted of incest, of lewd and lascivious conduct with children, and of rape."<sup>164</sup> "This reflects the fact that the bulk of rape convictions result from statutory offenses and not forcible rape of the

<sup>163</sup> See, e.g., *Jaffee v. Redmond*, 518 U.S. 1 (1996); *United States v. Vuitch*, 402 U.S. 62 (1971); *Cornfield by Lewis v. Consolidated High Sch. Dist. No. 230*, 991 F.2d 1316 (7th Cir. 1993); *In re Zuniga*, 714 F.2d 632 (6th Cir. 1983); *Gov't of the Virgin Islands v. Fredericks*, 578 F.2d 927 (3d Cir. 1978); *United States v. Brawner*, 471 F.2d 969 (D.C. Cir. 1972); *Millard v. Harris*, 406 F.2d 964 (D.C. Cir. 1968); *Rouse v. Cameron*, 373 F.2d 451 (D.C. Cir. 1966); *United States v. Currens*, 290 F.2d 751 (3d Cir. 1961); *Sauer v. United States*, 241 F.2d 640 (9th Cir. 1957); *Durham v. United States*, 214 F.2d 862 (D.C. Cir. 1954); *Ganzy v. Allen Christian Sch.*, 995 F. Supp. 340 (E.D.N.Y. 1998); *United States v. Doyle*, 1 F. Supp. 2d 1187 (D. Ore. 1998); *United States v. D.F.*, 857 F. Supp. 1311 (E.D. Wis. 1994); *In re Grand Jury Subpoena (Psychological Treatment Records)*, 710 F. Supp. 999 (D.N.J. 1989); *Lora v. Bd. of Ed. of City of New York*, 74 F.R.D. 55 (N.D. Cal. 1977); *United States ex rel. Edney v. Smith*, 425 F. Supp. 1038 (E.D.N.Y. 1976); *Young Women's Christian Ass'n of Princeton, N.J. v. Kugler*, 342 F. Supp. 1048 (D.N.J. 1972); *Snider v. Smyth*, 187 F. Supp. 299 (E.D. Va. 1960); *State v. Robert V.*, 31 Misc.3d 1210(A) (N.Y. Sup. Ct. 2011); *Zane v. Friends Hosp.*, 575 Pa. 236 (Pa. 2003); *Kinsella v. Kinsella*, 696 A.2d 556 (N.J. 1997); *Weisbeck v. Hess*, 524 N.W.2d 363 (S.D. 1994); *In re Blodgett*, 510 N.W.2d 910 (Minn. 1994); *State v. Shields*, 586 A.2d 655 (Sup. Ct. 1990); *Commonwealth v. Lloyd*, 523 Pa. 427 (Pa. 1989); *Commonwealth v. Kyle*, 367 Pa. Super 484 (Sup. Ct. 1987); *State v. Miller*, 709 P.2d 225 (Or. 1985); *Kerns v. Kerns*, 474 A.2d 925 (Ct. App. 1984); *Doe v. Roe*, 93 Misc.2d 201 (N.Y. Sup. Ct. 1977); *Anderson v. State*, 276 So.2d 17 (Fla. 1973); *State v. Torpy*, 187 N.W.2d 858 (Wis. 1971); *State v. Smith*, 422 S.W.2d 50 (Miss. 1967); *Flowers v. State*, 236 N.E.2d 185 (Ind. Ct. App. 1956).

<sup>164</sup> Judith A. Reisman, *Stolen Honor, Stolen Innocence: How America Was Betrayed by the Lies and Sexual Crimes of a Mad Scientist* 235 (4th ed. 2013)

type committed by so-called sex fiends....”<sup>165</sup> “The rule of “slightest penetration,” Ploscow criticized “as punishing attempt rather than the completed rape.”<sup>166</sup> Remember, these are data taken from a violent pedophile, whose youngest victim he *admitted* was 2-months old.

## KINSEY IN AMERICAN CASELAW

### 1956 *Shumate v. Johnson Publishing Company*:

“Actually, the release this week of information contained in Dr. Alfred Kinsey’s long-awaited report, *Sexual Behavior in the Human Female* (see next page), will point up startlingly that women have changed our sex morals. It will reveal that there remains little correlation between our Puritanical codes and the actual sex adventures of women.”<sup>167</sup>

“*About 50 per cent of married women have premarital sexual relations*”<sup>168</sup>

“*Unfaithful Wives - More than one-fourth (26 per cent) of all married women cheat on their husbands and a large percentage of them—mostly college-educated—plan to continue their infidelities.*”<sup>169</sup>

“*If sex laws were rigidly enforced, about 85 per cent of all women would be jailed as sex offenders for committing ‘unnatural, immoral, abnormal or indecent acts.*”<sup>170</sup>

### 1957 *United States v. 31 Photographs -- Kinsey’s Obscenity in the Mail*:

“[Kinsey’s] material will not be available to members of the general public, but will be held under security conditions for the sole use of the Institute staff members or of qualified scholars engaged in bona fide research and as to those who will have access to the material sought to be imported, there is no reasonable probability that it will appeal to their prurient interest.”<sup>171</sup>

This was the first case to allow obscene material for “scientists” whose “prurient interest” was the purpose for their study, here filming Kinsey in S/M masturbation. Kinsey’s fraudulent data and massive child sex atrocities are prima facie scientifically invalid.

### 1957 *Roth v. United States*, Kinsey a Pornography Producer and Addict is Cited as Legal Authority:

“The Kinsey studies show the *minor degree to which literature serves as a potent sexual stimulant*. And the studies demonstrating that that sex knowledge seldom

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<sup>165</sup> *Id.*

<sup>166</sup> *Id.*

<sup>167</sup> *Shumate v. Johnson Publ’g Co.*, 293 P.2d 531, 536 (Cal. Ct. App. 1956).

<sup>168</sup> *Id.* (emphasis original).

<sup>169</sup> *Id.* at 536-37 (emphasis original).

<sup>170</sup> *Id.* at 537 (emphasis original).

<sup>171</sup> *United States v. 31 Photographs*, 156 F. Supp. 350, 353 (S.D.N.Y. 1957) (emphasis added).

results from reading indicates (sic) the relative unimportance of literature in sex thoughts as compared with other factors in society.”<sup>172</sup>

***Justice Brennan on Kinsey in the MPC:***

“When the American Law Institute’s model penal code was published, it proposed a major reconstruction of the law of sexual behavior. The suggested reconstruction was made possible by the first and second Kinsey Reports. Justice William Brennan developed the Court’s [1957 Roth] definition of obscenity by referring to the ALI’s model penal code.”<sup>173</sup>

**Kinsey, a pornography producer and sex addict filmed illegal obscenity in his home attic and at Indiana University in a sound proofed room.** Overturning *Roth* is instrumental in formation of obscenity “tests.”

***1966 United States v 56 Cartons Containing 19,500 Copies Of A Magazine Entitled ‘Hellenic Sun’:***

“The late Dr. Manfred A. Guttmacher, the well-known psychiatrist of Baltimore, was a witness for the government. He testified that the pictures would have a prurient appeal for a large proportion of male homosexuals, particularly juvenile males with homosexual tendencies. The one picture of the boys would have a prurient appeal for pedophiles. Adolescent girls would find them frightening as well as shocking, but with some exceptions, mature women would find little stimulation in such material.”<sup>174</sup>

***1966 A Book Named Memoirs of a Woman of Pleasure v. Attorney General;*** A Closet Pornographer Producer and Addict is Legal Obscenity Expert:

“All possible uses of the book must therefore be considered, and the mere risk that the book might be exploited by panderers because it so pervasively treats sexual matters cannot alter the fact—given the view of the Massachusetts court attributing to *Memoirs* a modicum of literary and historical value—that the book will have redeeming social importance in the hands of those who publish or distribute it on the basis of that value.”<sup>175</sup>

The case cites research relying upon Kinsey’s studies to reach a conclusion concerning the potentially harmful outcome of obscene material. The authors cite research by Kinsey which found that “obscene literature stimulated a definite sexual response in a majority of the male and

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<sup>172</sup> *Roth v. United States*, 354 U.S. 476, 511 (Douglas, J., dissenting) (emphasis added).

<sup>173</sup> David Allyn, *Private Acts/Public Policy: Alfred Kinsey, the American Law Institute and the Privatization of American Sexual Morality*, 30 *Journal Of American Studies* 3, 424-25 n.54 (1996) (emphasis added) (citing transcript of 1955 ALI draft committee meetings).

<sup>174</sup> *United States v. 56 Cartons Containing 19,500 Copies of Magazine Entitled ‘Hellenic Sun’*,

<sup>175</sup> *A Book Named “John Cleland’s Memoirs of a Woman of Pleasure v. Attorney General*, 383 U.S. 413, 421 (1966)

female subjects tested.”<sup>176</sup> *Cases that accept Kinsey’s (a pornography producer and addict) fraudulent data and massive child sex atrocities are prima facie scientifically invalid.*

**1967 *People v. Samuels*, A Pornography Producer and Addict is Legal Authority:**

This case involved the prosecution of one of Kinsey’s friends for conspiracy to prepare and distribute obscene matter for aggravated assault and sodomy. The defendant made obscene, sadomasochist films for the Kinsey Institute.

“The evidence similarly fails to reveal that defendant ever discussed his motives for filmmaking with the unidentified individual who played the role of the masochist in the ”vertical“ film, except that defendant had ”let it be known“ that the film was intended for the Kinsey Institute. The evidence pertaining to defendant’s dealings with Anger likewise fails to show that the two men ever discussed distributing or exhibiting the films to anyone other than the Kinsey Institute.”<sup>177</sup>

**1967: *One Eleven Wines & Liquors, Inc. v. Div. of Alcoholic Beverage Control***

“Dr. Pomeroy was associated with the Kinsey Institute for twenty years and was the co-author of several books dealing with sexual behavior and offenses. He referred to the Kinsey studies which contained startling indications that 13% Of the males in the country were ‘more homosexual than heterosexual’ and that 37% Had ‘at least one homosexual experience to the point of orgasm in the course of their life.’ He also referred to indications that 55% Of the population was neutral on the subject of homosexuality and there is now ‘a more acceptance attitude’ than there was twenty years ago. See Mosk, Foreword to *The Consenting Adult Homosexuals and the Law*, 13 U.C.L.A.L.Rev. 644, 645 (1966).Dr. Pomeroy voiced the opinion that no adverse social effects would result from permitting homosexuals to congregate in licensed establishments” “....See Cory and LeRoy, *The Homosexual and His Society* 119, 121 (1963); see also Schur, *Crimes Without Victims* 86, 87 (1965).”<sup>178</sup>

*Schur quotes Kinsey in his books; Pomeroy a Kinsey lover hides their frauds, child sex crimes.*

**1969 *Henley v. Wise; Kinsey*, a Closet Pornographer Producer and Addict is legal Pornography Authority:**

“This prohibition [the statute] is so sweeping as to put in violation of the law the famous Kinsey Institute at Indiana University. This chilling effect on the research, development and exchange of scholarly ideas is repugnant to the First Amendment.”<sup>179</sup>

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<sup>176</sup> *Id.* at 453 n.4.

<sup>177</sup> *People v. Samuels*, 250 Cal. App. 2d 501, 510 (Ct. App. 1967).

<sup>178</sup> *One Eleven Wines & Liquors, Inc. v. Div. of Alcoholic Beverage Cont.*, 235 A.2d 12, 15-16 (N.J. 1967).

<sup>179</sup> *Henley v. Wise*, 303 F. Supp. 62, 67 (N.D. Ind. 1969).

**1970 *United States v. 35 MM Motion Picture Film “Language of Love”*; A Closet Pornographer Producer/Addict, Reframes Pornography as Sex Education**

“The claimants presented a noted film critic, a principal researcher and author for the Kinsey Institute treatises on sexual behavior in both genders of the human species, a protestant minister and a former New York State chief film censor among its expert witnesses. All agreed that the film has social importance, and that it does not appeal to ‘prurient interest’ in their understanding of that much-debated term. All likewise agreed that the film’s explicitness falls within the customary limits of candor tolerated by the national community in view of the currently available competition for the movie-goers’ dollars.”<sup>180</sup>

**1979 *Student Coalition for Gay Rights v. Austin Peay State University*; A Closet Bi/Homosexual as Homosexuality Authority:**

“Similarly, in his affidavit, Dr. Martin S. Weinberg, *Senior Research Sociologist, Institute for Sex Research, Indiana University*, stated that there is no “empirical or historical basis” for supposing that the existence of gay rights organizations will increase homosexual conduct.”<sup>181</sup>

*To establish his expertise, Weinberg had to cover up Kinsey’s frauds and vicious, mass sex crimes against children. Cases that accept Kinsey’s fraudulent data and massive child sex atrocities are prima facie scientifically invalid.*

**1980 *Beller v. Middendorf*; A Closet Bi/Homosexual is Military Deviance Authority:**

“The most widely accepted study of American sexual practices estimates that ‘at least 37 per cent’ of the American male population have at least one homosexual experience during their lifetime. Kinsey, Pomeroy & Martin, *Sexual Behavior in the Human Male* 623 (1948). If this is so, a policy of excluding all persons who have engaged in homosexual conduct from government employ would disqualify for public service over one-third of the male population devastating to the public service . . . Government carries many such potentially embarrassing employees on its roles without noticeable impact on the efficiency of the service.”<sup>182</sup>

*Military Impact: This case confirmed the ongoing fraudulent use of the Kinsey research in law and public policy that still stands unchallenged for crimes and atrocities.*

**1981 *400 E. Baltimore St. v. Maryland*, A Closet Pornographer Legalizes Obscenity for “Professionals”:**

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<sup>180</sup> *United States v. 35 MM Motion Picture “Film Language of Love”*, 432 F.2d 705, 708 (2d Cir. 1970).

<sup>181</sup> *Student Coalition for Gay Rights v. Austin Peay State Univ.*, 477 F. Supp. 1267, 1273 (M.D. Tenn. 1979) (emphasis added).

<sup>182</sup> *Saal v. Middendorf*, 427 F. Supp. 192, 202 n.12 (N.D. Cal. 1977) (quoting *Norton v. Macy*, 417 F.2d 1161, 1167 n.28 (D.C. Cir. 1969)).

“Most of the courts, applying pre-Memoirs criteria, recognized the need to distinguish between the pandering of lewd material to the public at large and the reception and use of such material for legitimate research and education purposes; and they usually did so by concluding that, in the hands of researchers, medical personnel, or art collectors such material was simply not obscene. See, for example, *United States v. 31 Photographs, Etc.*, 156 F.Supp. 350 (S.D.N.Y.1957), involving materials ordered by the Institute for Sex Research, Inc. (the “Kinsey” Institute) of Indiana University, and cases cited and reviewed therein.”<sup>183</sup>

**1985 *Baker v. Texas*; A Closet Bi/Homosexual as Judicial Sodomy Authority**

“These numbers may be even higher. According to the magazine article introduced as Defendant Wade’s Exhibit 1, the revolutionary Kinsey survey—which revealed a surprising level of homosexual behavior not previously known and which has been confirmed by later studies—estimated that 10% of the American men, and approximately 3–5% of the women, were exclusively homosexual. This would mean that there may be over 650,000 exclusive homosexual males and as many as 200–300,000 exclusive homosexual females in Texas. Kinsey also estimated that 50% of all American males have had homosexual experiences.”<sup>184</sup>

The Court also cited the National Institute of Health’s Task Force on Homosexuality.<sup>185</sup> Dr. Judd Marmor was a member of this Task Force and helped write the report.<sup>186</sup> Psychiatrist Marmor completely ignored Kinsey’s use of criminals, pedophiles, and homosexuals as his research population, Kinsey’s definition of wives as anyone living with a man for over a year, and all data on the rapes of infants and children in his quotes as to the reliability of Kinsey data.

“According to...the revolutionary Kinsey survey....10% of the American men, and approximately 3–5% of the women, were exclusively homosexual....over 650,000 exclusive homosexual males and as many as 200–300,000 exclusive homosexual females in Texas. Kinsey also estimated that 50% of all American males had homosexual experiences.”<sup>187</sup>

**1985 *Baker v Wade*; A Closet Bi/Homosexual as Judicial Sodomy Authority:**

Dr. Marmor testified that homosexuality was not “contagious” or infectious; that, although there was “some disagreement,” almost all American psychiatrists feel that “homosexuality per se does not constitute any form of mental disorder”; and that there is no respected medical literature to the contrary.<sup>188</sup>

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<sup>183</sup> 400 E. Baltimore St., Inc. v. Maryland, 431 A.2d 682, 689-90 (Ct. App. Md. 1981).

<sup>184</sup> *Baker v. Wade*, 553 F. Supp. 1121, 1129 n.14 (N.D. Tex. 1982).

<sup>185</sup> *Id.* at 1127 n.7.

<sup>186</sup> Vernon A. Rosario, *An Interview with Judd Marmor, M.D.*, 7 J. of Gay & Lesbian Psychotherapy (2003), available at <http://vrosario.bol.ucla.edu/CV/Marmor.pdf> (last visited Feb. 19, 2014).

<sup>187</sup> [insert cite].

<sup>188</sup> *Baker*, 553 F. Supp. at 1130 n.15.

The Court relied on Marmor and his analysis of Kinsey to note that “homosexuality is not a matter of choice: it is fixed at an early age—before one even begins to participate in sexual activities—and only a small minority can be changed or cured, if at all.”<sup>189</sup>

**1986 *Albright v. State*; Sex Addict Authority Proving Sexologists ‘Scientists’:**

Defendant used Dr. Mooney as a human sexuality expert.<sup>190</sup> Mooney had been a sex researcher at *the Kinsey Institute and was a sex therapist and executive director of Planned Parenthood in South Bend*. Mooney said she uses sexually explicit material in her work: “it’s very hard to talk about sex and not become sexually explicit either in film or conversation or in literature.”<sup>191</sup>

Again, Mooney’s acceptance as an expert witness was grounded in her years of Kinsey Institute research, yet she chose not to divulge Kinsey’s frauds or his criminal sex abuse of children. Thus her expertise should have been vacated.

**1987 *Faloona By Fredrickson v. Hustler*; Kinsey Institute Satellite is Obscenity Authority for the Non-Prurient Nature Of Sex “Professionals”:**

A minor’s mother sued *Hustler* magazine for publishing her children’s nude pictures that were originally in *The Sex Atlas*, which was allegedly a “serious educational text on human sexuality.”<sup>192</sup> The National Sex Forum—now “The Institute for Advanced Study of Human Sexuality” (IASHS)<sup>193</sup>—sold the nude child photos to Hustler for an article advocating ending age of consent and ending incest laws.

Kinsey’s co-author was the IASHS’ academic dean. Dr. Pomeroy, had appeared in Kinsey’s early secret and illegal pornographic films, and like his staff, were spawned by the Kinsey Institute as secondary ‘sexology’ agencies, drawing legitimacy from the fame and honor given to Kinsey, the architect of the sex field.

The obscene picture book, *Meditations on the Gift of Sexuality* (1977), of nude staff, faculty, students and friends in illegal heterosexual and homosexual oral and group sex, clearly identifies the faculty as invalid as researchers, and exhibiting a conflict of interest,

**1987 *Gay Rights Coalition of Georgetown University Law Center v. Georgetown University*; Closet Bi/Homosexual as Judicial Sodomy Authority:**

This case represents the opening clash between religious liberty and “gay equality norms.” Homosexual student groups sued a private Catholic university when the university refused to “recognize” them. Claimants extensively quote Kinsey’s key fraudulent homosexual

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<sup>189</sup> *Id.* at 1129.

<sup>190</sup> *Albright v. State*, 501 N.E.2d 488, 492 (Ind. Ct. App. 1986).

<sup>191</sup> *Id.* at 493.

<sup>192</sup> *Faloona by Fredrickson v. Hustler Magazine, Inc.*, 607 F. Supp. 1341, 1344 (N.D. Tex. 1985).

<sup>193</sup> *Id.* at 1344 n.6.

data, scale and “continuum,” including his “50%” homosexual “experience.” The Court relied upon it heavily as well.

“Modern research on sexual orientation began with the investigation of Alfred C. Kinsey and his associates into human sexual behavior. From his study of twelve thousand white males, still the largest of its kind, Kinsey reported that only 50% had neither overt nor psychic homosexual experiences after the onset of adolescence. . . . Another 37% had had at least some overt homosexual experience to the point of orgasm between adolescence and old age, while the remaining 13% reacted erotically to other males without having physical contacts. *Id.* Almost half of his sample had both heterosexual and homosexual experiences at some point during their lives. *Id.* Kinsey’s findings challenged the popular assumption that the vast majority of people are either exclusively heterosexual or exclusively homosexual and suggested that instead individual sexual responses and behavior fall somewhere between these extremes for some 46% of the population. See *id.* . . . The Kinsey scale continues to be relied upon today.”<sup>194</sup>

**1991 *Robinson v. Jacksonville Shipyards, Inc.***; Closeted Kinsey Trainees Would Legalize Obscenity in Sexual Harassment:

“Dr. Joseph Scott appeared as an expert witness on defendants’ behalf to testify in the area of the effects of sexual materials on behavior and generally on men and women. . . . He has published approximately forty articles in professional journals and three books, with a fourth book in progress. He received some of his training at the Kinsey Sex Institute as a National Institute of Mental Health fellow. . . . He has been an expert witness in many obscenity trials. A controversial methodology used by Dr. Scott in some obscenity trials, ethnography analysis, has been criticized by some courts, but Dr. Scott stated that his testimony in this case did not rest on any studies using this methodology. Dr. Scott has done contract work paid for by the publishers of what he called “male sophisticate magazines,” that is, *Playboy*, *Penthouse*, *Hustler*, and the like; he would not disclose further details on such research but he did give assurance that his opinions did not rest on any of these studies. The Court accepted Dr. Scott as an expert as offered.”<sup>195</sup>

**1991 *Steffan v. Cheney***; Reisman reveals Kinsey’s Hidden Homosexual Bias:

“The scientific literature on this subject suggests that there are those with a strict heterosexual orientation and whose lives and sexual experiences are strictly consistent with that orientation. On the other end of the spectrum, there are those who have a homosexual orientation and who have had nothing but homosexual sexual activity in their lives. A. Kinsey, W. Pomeroy & C. Martin, *Sexual Behavior in the Human Male* 638–41 (1948) (hereinafter *Kinsey*). The great “in between” includes most lesbians, and bisexual men whether they have a homosexual or a heterosexual orientation. Note, *The Tradition of Prejudice versus*

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<sup>194</sup> *Gay Rights Coalition of Georgetown Univ. Law Ctr. v. Georgetown Univ.*, 536 A.2d 1, 33-34 (D.C. Ct. App. 1987) (internal citations omitted).

<sup>195</sup> *Robinson v. Jacksonville Shipyards, Inc.*, 760 F. Supp. 1486, 1508-09 (M.D. Fla. 1991).

the Principle of Equality: Homosexuals and Heightened Equal Protection Scrutiny after *Bowers v. Hardwick*, 31 B.C. L. Rev. 375, 378 n. 24, 379 n. 25 (1990).”<sup>196</sup>

“It is surely true that there are many stories behind why a particular individual has a homosexual orientation. It is not at all clear, as a scientific matter, whether one chooses one’s sexual orientation or not. See Review, Really, Dr. Kinsey?, 337 *The Lancet* (British Medical Journal), 547, 547 (1991) (citing Judith A. Reisman & Edward W. Eichel, *Kinsey, Sex and Fraud: The Indoctrination of a People* (John H. Court & J. Gordon Muir eds., 1990) (Kinsey reports on male/female sexuality sharply criticized due to improper knowingly unethical use of unrepresentative populations)); Review, Kinsey’s Sexreport: Dubious, Misleading, Fraud?, *German Medical Tribune*, July, 19, 1991, at 1, 6 (Jurgen Benning trans.) (same). No choice in the matter would argue for a conclusion of immutability, while some choice or a great deal of choice would tend to support a finding of mutability. Without a definitive answer at hand, yet confident that some people exercise some choice in their own sexual orientation, the Court does not regard homosexuality as being an immutable characteristic.”<sup>197</sup>

**1995 *Dean v. District of Columbia***; A Closet Bi/Homosexual is the Authority for “Gay” Marriage License:

“Whatever the answers are to questions about the origins of sexual orientation . . . any effort to change homosexual orientation, once in place, requires traumatic, perhaps even emotionally self-destructive, work toward that end. A 1981 study published by the Alfred C. Kinsey Institute for Sex Research concluded by saying:

“Homosexuals, in particular, cannot be dismissed as persons who simply refuse to conform. There is no reason to think it would be any easier for homosexual men or women to reverse their sexual orientation than it would be for heterosexual readers to become predominantly or exclusively homosexual.”<sup>198</sup>

This would not suffice today (*see Kerrigan v. Comm.*, 289 Conn. 135, (2008)), but was still found within the case.

**1996 *Stanley v. United States***; Kinsey Satellite Agency is Authority Claim That Child Pornography is Non-Prurient For The Unique Class of Sex Professionals:

“The court ordered lawyer, Lawrence Stanley to forfeit his cache of child pornography which he said was part of his ‘research’ for the Institute for the Advanced Study of Human Sexuality in San Francisco, where he was attached.”<sup>199</sup>

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<sup>196</sup> *Steffan v. Cheney*, 780 F. Supp. 1, 6 n.12 (D.D.C. 1991).

<sup>197</sup> *Id.*

<sup>198</sup> *Dean v. District of Columbia*, 653 A.2d 307, 348 (D.C. Ct. App. 1995) (quoting Alan P. Bell, *et al.*, *Sexual Preference: Its Development in Men and Women* 222 (1981)).

<sup>199</sup> See Robert Stavey McCain, *Porn Lawyer Charged in Brazil Girls Case*, *Washington Times*, July 24, 2002, at A9, available at <http://theothermccain.com/about/2002-lawrence-stanley-arrested/>.

Stanley was later arrested for child sexual abuse. The “academic dean” of the IASHS was Dr Wardell Pomeroy, Kinsey’s one time lover, co-author and aide in the sexual torture of from 317 to 2,035 infants and children. *Cases that accept Kinsey’s fraudulent data and massive child sex atrocities are prima facie scientifically invalid collaborators.*

**1996 McDonnell v. Cisneros; Kinsey Scale etc. as Sexual Harassment Authority:**

“[A] difference in sex is not a necessary condition of sexual activity and hence (most courts think) of sexual harassment . . . And then there is the specter of the perfectly bisexual harasser—a number 3 on the Kinsey Scale of sexual preference—who by definition is indifferent to the sex of his victims and so engages in sexual harassment without discriminating on the basis of sex. . . . there was no discrimination on grounds of sex.”<sup>200</sup>

**1997 Doe by Doe v. Belleville; A Closet Bi/Homosexual Authority on Homosexual Employment:**

“Thus, the heterosexual man who sexually harasses a woman discriminates within the meaning of Title VII because (assuming he is a zero on the Kinsey scale), he is sexually uninterested in men and so would have no reason to harass a man sexually.”<sup>201</sup>

Courts continued repetition of Kinsey’s fraudulent data, his bogus “scale,” and the respect for all Kinsey data, dictating conduct and shaping society, *are all grounded in the ongoing cover-up of his sex frauds and massive child sex atrocities.*

**1998 Curran v. Mount Diablo Council of The Boy Scouts of America; A Bi/Homosexual Pedophile as Homosexuality Scout Authority:**

A local Boy Scout council was sued under state civil rights statute, based on “council’s refusal to approve homosexual plaintiff as adult leader.” In 1980 he went to his high school prom with a male date:

“But I had another, nobler reason. I thought it was about time some of these people opened their eyes. If you look at [Dr. Alfred] Kinsey’s statistics, it would follow that there’d be a lot of other gay young men and women there who were going with dates of the opposite sex. It would be doing them good to see someone at the prom who was proud of being gay.”<sup>202</sup>

This case goes to the subsequent harm to the *Boy Scouts of child sex atrocities by the Kinsey team and bias and fraud of the data.*

**1998 Able v. United States; A Closet S&M, Bi/Homosexual as Military/Sodomy Authority:**

“Laws discriminating against gay men and lesbians affect a small but significant portion of the population. *See, e.g.,* Posner, *supra*, at 295 (most estimates of the percentage of homosexual men in the population range from 2 to 5 percent;

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<sup>200</sup> *McDonnell v. Cisneros*, 84 F.3d 256, 260 (7th Cir. 1996).

<sup>201</sup> *Doe by Doe v. City of Belleville*, 119 F.3d 563, 585 (7th Cir. 1997).

<sup>202</sup> *Curran v. Mt. Diablo Council of the Boy Scouts*, 952 P.2d 218, 221 (Cal. 1998).

estimates of women are lower); Robert T. Michael, *Sex in America* 174–77 (1994) (study finding that 6 percent of men and 4 percent of women were attracted to members of the same sex and about 2 percent of both men and women had acted on such attraction during the previous year); Alfred A. Kinsey et al., *Sexual Behavior in the Human Female* 474–75 (1953); Alfred A. Kinsey et al., *Sexual Behavior in the Human Male* 650–51 (1948). While public censure and discrimination may prevent many gay men and lesbians from revealing their sexual identities, their same-sex sexual orientation is a sufficiently “distinguishing characteristic” to “define them as a discrete group.”<sup>203</sup>

*The decision was reversed. Still, all sexperts are invalid based on their uncritical advocacy of Kinsey’s fraudulent data and their ongoing cover-up of his massive child sex atrocities.*

**2001 *Lawrence v. State, rev’d sub nom Lawrence v. Texas***; Closeted Kinsey’s Fraudulent Science *Dominates* Lawrence Decision:

“Persons having a predominately heterosexual inclination may sometimes engage in homosexual conduct. Thus, the statute’s proscription applies, facially at least, without respect to a defendant’s sexual orientation.”<sup>204</sup>

“In his study of human sexuality, Dr. Alfred C. Kinsey classified the “sexual orientation” of his subjects on a seven point continuum: (1) exclusively heterosexual; (2) predominantly heterosexual, only incidentally homosexual; (3) heterosexual, but more than incidentally homosexual; (4) equally heterosexual and homosexual; (5) predominantly homosexual, but more than incidentally heterosexual; (6) predominantly homosexual, but incidentally heterosexual; and (7) exclusively homosexual. Jeffrey S. Davis, *Military Policy Toward Homosexuals: Scientific, Historical, and Legal Perspectives*, 131 MIL. L.REV. 55, 58 (1991). Kinsey estimated that approximately 50 per cent of the population is exclusively heterosexual; 4 per cent is exclusively homosexual. *Id.* at 64. *See also* Sharon Elizabeth Rush, *Equal Protection Analogies—Identity and “Passing”: Race and Sexual Orientation*, 13 HARV. BLACKLETTER J. 65, 83–84 (1997); Odeana R. Neal, *The Limits of Legal Discourse: Learning From the Civil Rights Movement in the Quest for Gay and Lesbian Civil Rights*, 40 N.Y.L. SCH. L.REV. 679, 705 (1996).”<sup>205</sup>

**2008 *Kennedy v. Louisiana***; Kinsey’ MPC frauds help invalidate death penalty for brutal child rapes:

The Court held that “the Eighth Amendment prohibits the death penalty for the rape of a child where the crime did not result, and was not intended to result, in death of the victim.”<sup>206</sup> Among other physical and emotional facts, the rape left a:

<sup>203</sup> *Able v. United States*, 968 F. Supp. 850, 863 (E.D.N.Y. 1997).

<sup>204</sup> *Lawrence v. State*, 41 S.W.2d 349, 353 (Tex. Ct. App. 2001), *rev’d sub nom Lawrence v. Texas*, 539 U.S. 558 (2003).

<sup>205</sup> *Id.* at 353 n.6.

<sup>206</sup> *Kennedy v. Louisiana*, 554 U.S. 407, 412 (2008).

“laceration to the left wall of the vagina had separated her cervix from the back of her vagina, causing her rectum to protrude into the vaginal structure. Her entire perineum was torn from the posterior fourchette to the anus. The injuries required emergency surgery.”<sup>207</sup>

Pre Kinsey All states allow death or life for rape (minus one). Kennedy’s death sentence for child rape under 12 is reversed by the Court citing *Coker v. Georgia*’s ALI view that child rape could not justify execution. The Court cited Coker for the notion that:

“Evolving standards of *decency* counsel the Court to be most hesitant before allowing extension of the death penalty, especially where no life was taken in the commission of the crime.”<sup>208</sup>

**The 1955 MPC: “defense” of rape of 10 yr. olds.** What penalty does the MPC provide for rape/sodomy of a “less than 10 years old” girl who is allegedly a “voluntary social companion” of the “actor” if she “previously permitted him sexual liberties” or if she was a “prostitute”?

The MPC defines prostitute as “any female who engages in promiscuous sexual relations whether or not for gain” as a definition. As pedophiles are defined by Kinsey and his followers in science and law as allegedly non-violent, non-recidivists, the “so-called victim” may be a vamp. Hence an “actor must be at least 5 years older” for criminal rape of age 10 girl must “consider the previous promiscuity of the child.”<sup>209</sup>

[It is a “defense that the 10-16]: “victim” had previously engaged in promiscuous sexual activity...A young person who is accustomed to sexual activity (1) would suffer little or no psychical harm...and (2) might well be the seducer rather than the seduced.”<sup>210</sup>

Seven decades of law review articles and legal opinions *trivialized Judeo-Christian protective laws and reduced sex to a service exchange between bogus equals—women, men and children credits due to child abuser, Dr, Alfred C. Kinsey and The Kinsey Institute, at Indiana University, in Bloomington, Indiana.*

**2008 *Kerrigan v. Commissioner of Public Health***; A Closeted Promiscuous Bi/Homosexual is Authority for Homosexual Normality:

“Studies conducted by Alfred C. Kinsey in the mid-twentieth century indicated that approximately one out of every ten men was gay; A. Kinsey, W. Pomeroy & C. Martin, *Sexual Behavior in the Human Male* (W.B. Saunders 1948) p. 651; and that lesbians apparently comprised a somewhat smaller percentage of the population.”<sup>211</sup>

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<sup>207</sup> *Id.* at 414 (emphasis added).

<sup>208</sup> *Id.* at 410 (emphasis added).

<sup>209</sup> Model Penal Code § 43.02.

<sup>210</sup> *Id.*

<sup>211</sup> *Kerrigan v. Comm’r of Public Health*, 957 A.2d 407, 440 n30 (Conn. 2008).

**2011 *Alexander v. California Department Of Corrections*; Closeted Pornographer, Kinsey as Authority for Obscenity:**

Plaintiff, a state prisoner seeks female nude images and help from the “Kinsey Institute” experts on “sexual repression/suppression” to “support or substantiate the fact (or theory) that homosexual behavior can surface as a result of sexual repression or suppression.”<sup>212</sup> (Id. at 10–11.) The court declined:

“The data and findings of the Kinsey Institute are widely available and, absent a staff member being hired as an expert in a particular case, the organization cannot reasonably be expected to provide individualized responses....” His subpoena “on the Kinsey Institute will therefore be denied.”<sup>213</sup>

*Unchallenged for its frauds and child sex atrocities Kinsey’s “research” is relied on by the public, the courts, professional groups and legislatures globally. All such citations and experts using these criminal data are invalidated collaborators.*

**2012 *United States v. Grauer*; Child Sex Experimenter Kinsey Trainees Become Child Experts:**

The first witness for the defense to testify at a trial for enticement to solicit a minor for sexual activities and for possession of child pornography was Dr. James Herriot He holds a Ph.D. in human sexuality from a Kinsey Institute satellite, whose academic dean was Wardell Pomeroy, (deceased) Kinsey co-author. It is *The Institute for the Advanced Study of Human Sexuality in San Francisco. The IASHS produces its own pornography including a nude, obscene publication of faculty staff, students and friends in Mediations on the Gift of Sexuality* (1977).<sup>214</sup>

Dr. Herriot testified that internet chat rooms thrive on anonymity and are primarily an entertainment medium where adults engage in fantasy “age-play,” which he described as role-playing in which one adult plays an older person and the other a young person, “often the naughty schoolgirl.”<sup>215</sup> Asked by the prosecutor whether adults who chat online in this fashion are looking to meet minors, Herriot responded in reference to actual meetings:

“Well ... it’s either rare or nonexistent. It is extremely rare as far as we know from our research. It is adults talking to adults is the—the main thing going on here.”<sup>216</sup>

**2013 *United States International Trade Commission (U.S.I.T.C.) In The Matter Of Certain Kinesiotherapy Devices And Components Thereof Initial Determination On Violation Of Section 337*; A Closet S&M Masturbator, Adulterer, Sexual Psychopath is Expert on Normal Coitus:**

“So as we’ve talked about it is as Dr. Kinsey and his colleagues wrote, possible for two individuals of the same sex as well as two of the opposite sex to have

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<sup>212</sup> *Alexander v. Cal. Dep’t of Corrections*, No. 2:08-cv-2773 MCE, KJN P, 2011 WL 1047647 \*6 (E.D. Cal. Mar. 11, 2011).

<sup>213</sup> *Id.* at \*7.

<sup>214</sup> *United States v. Grauer*, 701 F.3d 318, 322 (8th Cir. 2012).

<sup>215</sup> *Id.* at 321.

<sup>216</sup> *Id.* at 321-22.

intercourse, but that as he said as we've already noted, the term coitus as used in the present volume refers to a union of female and male genitals...I'm going to go back to the person who started it all in the United States, systematic scientific research, which was Dr. Elder [*sic*] Kinsey. I reviewed his books from the '40s and '50s. I reviewed the books of other Kinsey Institute directors, including *Becoming Orgasmic* by Julia Herman, yes, that is her real name, spelled differently. Dr. June Reinisch's book about the new -- from the 1990s. I also reviewed books of popular figures such as Dr. Ruth."<sup>217</sup>

**2013 Hollingsworth v. Perry – Amicus Curiae Brief of Dr. Paul McHugh; A Sexual Psychopathic Bi/Homosexual Pedophile, Serial Child Rapist As Expert On Gender, Orientation And Marriage:**

"Alfred C. Kinsey et al., *Sexual Behavior in the Human Male* 639 (1948) ("Males do not represent two discrete populations, heterosexual and homosexual.")<sup>218</sup>... [This is similar to the data of Kinsey] "Only the human mind invents categories and tries to force facts into separated pigeon-holes. The living world is a continuum in each and every one of its aspects. The sooner we learn this concerning human sexual behavior the sooner we shall reach a sound understanding of the realities of sex."<sup>219</sup>

**Discussing The Lawrence decision: The Academic Culture & the Law Culture:**

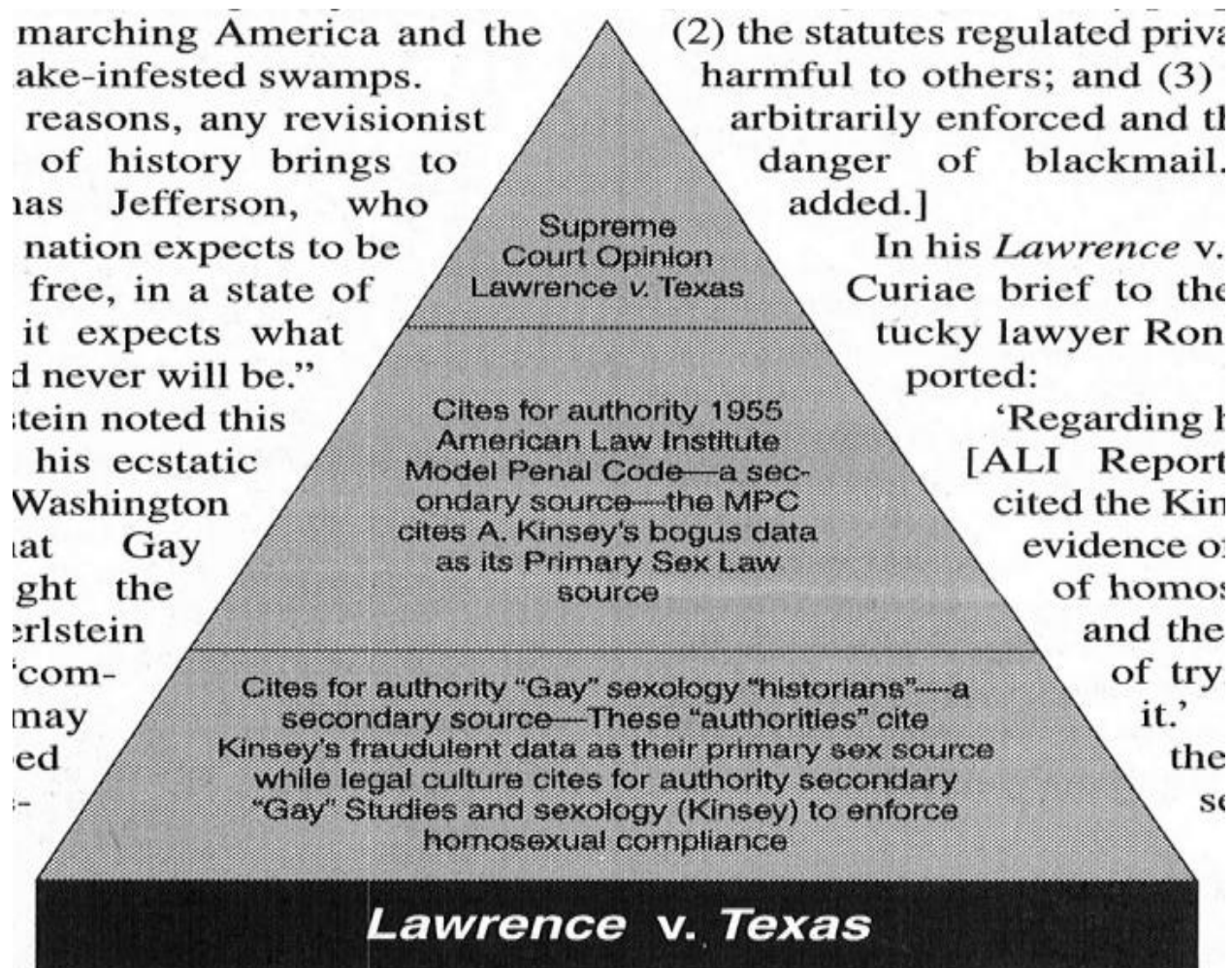
- *55 MPC sodomy "data" -- stand on Kinsey*
- *"gay historians" – stand on Kinsey*
- *"foreign" surveys -- stand on Kinsey*
- *Legal culture extends Lawrence decision*

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<sup>217</sup> *In re Certain Kinesiotherapy Devices & Components Therof Initial Determination*, USITC No. 337-TA-823, 2013 WL 503321 (Jan. 8, 2013).

<sup>218</sup> Brief of Dr. Paul McHugh at 13, *Hollingsworth v. Perry* 2013 WL 315228 (2013).

<sup>219</sup> See Justice Michael Kirby AC CMG, *Sexuality and Global Forces: Dr. Alfred Kinsey and the Supreme Court of the United States*, 14 Ind. J. Global Legal Stud. 485 (2007).



## THE GLOBAL KINSEY INSTITUTE CONCLUSION

Kinsey's Institutional global reach is growing, animated through millions of disciples. They have spread the gospel according to Kinsey throughout the courts, legislatures, and medical and educational establishments worldwide. As the law makes sexual aberrance legal, these acts are taught to American schoolchildren (See Appendix D). Despite the efforts of the American legal-medical-educational establishment to wholly normalize Kinsey's vision, the complete revolution in sexual norms meets resistance in those still adhering to Judeo-Christian morality.

Some recent examples come from foreign countries where leaders have rejected Kinsey's corrupted sexuality. In 2013, the Croatian Constitutional Court overturned Kinsey-based sex education. In 2012, Switzerland, exposure of Kinsey's atrocities led to the Swiss defunding their “sex competency” education. In America, we must recognize, as did Justice Brandeis, that pre-Kinsey “existing legal institutions” and laws largely explained “human affairs...and the conditions, and institutions by which [we] are surrounded.”<sup>220</sup> Thousands of years of human

<sup>220</sup> Leonard Baker, *Brandeis and Frankfurter: A Dual Biography* 29 (1986).

experience and the legal tradition of the West were discarded on the basis of fraudulent “science.” This is equivalent to naming a research institution “The Joseph Mengele Institute of Jewish Development.” We know who is to blame. We know what happened. We know how we got to this point. Where do we go from here?

Since 1948 at Indiana University, The Kinsey Institute’s “Grand Scheme” flows downward to the Institute for the Advanced Study of Human Sexuality in San Francisco, New York University, and University of Pennsylvania to major Universities via graduate level degrees with sex “health” as a subset. These graduates create societies and commissions that train teachers to teach the teachers, judges, children, legislators, parents, priests, lawyer etc. what is “normal” sex based on the Kinsey Model. *No other sexuality canon is taught in establishment universities. It is time for the Judiciary to get its house in order, and to re-examine all decisions for fraud and crimes against children and humanity that have relied on the Kinsey Institute.*

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**APPENDIXES**

**EXCERPTS FROM THE 1955 MODEL PENAL CODE RELIED ON BY JUSTICE  
KENNEDY**

## APPENDIX A

### APPENDIX A

#### FREQUENCY OF SEXUAL DEVIATION

##### I. Kinsey, Pomeroy and Martin, *Sexual Behavior in the Human Male* (1948)

###### A. Mouth-genital contact.

"Mouth-genital contacts of some sort, with the subject as either the active or the passive member in the relationship, occur at some time in the histories of nearly 60 per cent of all males . . .

"Mouth-genital contacts (of any kind) occur much more often at high school and college levels, less often in the grade school groups. In the histories of the college group, about 72 per cent of the males have at least experimented with such contacts, and about 65 per cent of the males who have gone into high school but not beyond. Among those males who have never gone beyond eighth grade in school the accumulative incidence figure is only 40 per cent." at p. 371.

###### B. Animal Contacts

"In the total population, only one male in twelve or fourteen (estimated at about 8%) ever has sexual experience with animals (Table 59). In this total population, it is not more than 6 per cent which is involved in the most active period (between adolescence and 20). The percentage drops in successive age groups to a little more than 1 per cent in the early twenties, and to a still lower figure at old age.

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183. See *Kelly v. U.S.*, 194 F.2d 150 (D.C. Cir. 1952).

## APPENDIX B

"Frequencies of animal contact are similarly low taken as a whole. For most individuals, they do not occur more than once or twice, or a few times in a lifetime." at p. 670.

"... It is, in consequence, something between 40 and 50 per cent of all farm boys who have some sort of animal contact, either with or without orgasm, in their preadolescent, adolescent, and/or later histories." at p. 671.

### C. Homosexuality

[some experience]

"37 per cent of the total male population has at least some overt homosexual experience to the point of orgasm between adolescence and old age (Figure 156). This accounts for nearly 2 males out of every 5 that one may meet.

"50 per cent of the males who remain single until age 35 have had overt homosexual experience to the point of orgasm, since the onset of adolescence (Figure 156).

"58 per cent of the males who belong to the group that goes into high school but not beyond, 50 per cent of the grade school level, and 47 per cent of the college level have had homosexual experience to the point of orgasm if they remain single to the age of 35 (Figure 158).

[experience after adolescence]

"63 per cent of all males never have overt homosexual experience to the point of orgasm after the onset of adolescence (Figure 156).

"50 per cent of all males (approximately) have neither overt nor psychic experience in the homosexual after the onset of adolescence (Figures 162-167).

"13 per cent of the males (approximately) react erotically to other males without having overt homosexual contacts after the onset of adolescence.

[post-adolescent homosexual responses for 3 years or more]

"30 per cent of all males have at least incidental homosexual experience or reactions (i.e., rate 1 to 6) over at least a three-year period between the ages of 16 and 55. This accounts for one male out of every three in the population who is past the early years of adolescence (Table 150, Figure 168).

"25 per cent of the male population has more than incidental homosexual experience or reactions (i.e., rates 2-6) for at least three years between the ages of 16 and 55. In terms of averages, one male out of approximately every four has had or will have such distinct and continued homosexual experience.

"18 percent of the males have at least as much of the homosexual as the heterosexual in their histories (i.e., rate 3-6) for at least three years between the ages of 16 and 55. This is more than one in six of the white male population.

"13 per cent of the population has more of the homosexual than the heterosexual (i.e., rates 4-6) for at least three years between the ages of 16 and 55. This is one in eight of the white male population.

"10 percent of the males are more or less exclusively homosexual (i.e., rate 5 or 6) for at least three years between the ages of 16 and 55. This is one male in ten in the white male population.

"8 per cent of the males are exclusively homosexual (i.e., rate a 6) for at least three years between the ages of 16 and 55. This is one male in every 13.

"4 per cent of the white males are exclusively homosexual throughout their lives, after the onset of adolescence (Table 150, Figure 168).

"None of those who have previously attempted to estimate the incidence of the homosexual have made any clear-cut definition of the degree of homosexuality which they were including in their statistics. As a matter of fact, it seems fairly certain that none of them had any clear-cut conception of what they intended, other than their assurance that they were including only those 'who were really homosexual.' For that reason it is useless to compare the 2 or 3 per cent figure of Havelock Ellis, or the 2 to 5 per cent figure of Hirschfeld, or the 0.1 per cent figure of the Army induction centers with any of the data given above." at p. 650-1.

### II. Ploscowe, *Sex and the Law*.

"Nor is homosexuality a rarity in our culture. It has been estimated by such authorities as Hirschfeld and Havelock Ellis that from 2 to 5 per cent of a particular population are homosexual. Kahn who studied homosexuals in New York City Penal Institutions, estimated that there were from 100,000 to 500,000 in that city alone. . . .

"Female homosexuality has been studied much less intensely than male homosexuality, but it too is far more widespread than is generally realized. Katherine B. Davis studied twelve hundred unmarried college graduates who averaged thirty-seven years of age. Of this number half had experienced intense emotional relations with other women and over three hundred, or one-fourth of the total, reported sexual activities with other women. Of one hundred married women studied by Hamilton, one-fourth admitted homosexual physical episodes." at pp. 206-207.

**Section 207.5. Sodomy and Related Offenses.***Special Note Re Consensual Sodomy between Adults.*

The following comments were written in support of Section 207.5 as proposed by the Reporters and unanimously approved by the Advisory Committee, i.e., excluding consensual relations between adults from criminal punishment. The Council of the Institute, at its March 1955 meeting, voted in favor of criminal punishment. Some members believe that the Reporters' position is the rational one but that it would be totally unacceptable to American legislatures and would prejudice acceptance of the Code generally. Other members of Council oppose the position of the Reporters and the Advisory Committee on the ground that sodomy is a cause or symptom of moral decay in a society and should be repressed by law. Subsection (4) of Section 207.5 was accordingly revised to reflect the Council's position and to raise the issue for discussion by the Institute.

*(1) Background and General Recommendation.*

The sexual impulse finds expression in a variety of ways other than heterosexual copulation.<sup>174</sup> Substantial numbers of males and females find themselves drawn to members of their own sex. In both homosexual and heterosexual relationships, gratification may be sought and bestowed digitally, orally, or by the anus. There may be no human partner, as in copulation with animals or corpses, or in masturbation. Some individuals obtain sexual satisfaction from exposing themselves indecently, from wearing clothes of the opposite sex, or from contact with objects of symbolic sexual significance, e.g., a shoe or an undergarment. Heterosexual copulation must also be considered deviate, when accomplished by force or with a child, especially when these circumstances appear to be essential to the actor's gratification. Superficially non-sexual offenses such as larceny, burglary, or arson may have an avowed or unconscious sexual aspect, just as, for that matter, approved behavior, including successful pursuit of art, literature, money, or fame, may be bound up with sexual drives. It is generally agreed, also, that an isolated episode of deviate sexuality may have no important significance with respect to the character of the actor, being the result of a chance encounter, curiosity, or experiment.

In varying degrees deviate sexuality has been regarded with intense aversion in nearly all times and civilizations, and subject to condemnation by religious interdict or severe secular punishment. Depending on the environment and education of the analyst, deviate

174. See Appendix A on Frequency of Sexual Deviation Among Males. Homosexual responses which proceeded to orgasm were found to have occurred in about a third as many females as males. Kinsey, Pomeroy, Martin & Gebhard, *Sexual Behavior in the Human Female*, 475 (1953).

sexuality may be attributed to spiritual illness (sin), to improper early psychic influences, or to congenital and hereditary defect. Those who have studied the problem most are in such disagreement as to cause and the possibility of cure that a law-maker must proceed cautiously in decreeing drastic measures, whether with the aim of deterrence, incapacitation, or therapy.<sup>175</sup> Evidence does not support the hypothesis that this generation suffers from a special "wave" of serious sex offenses, or that sex offenders in general tend to recidivism, or that sex offenders of one type tend to progress to other more serious sex offenses or to violent aggressions, or that sex offenders of all varieties can be rationally treated as a single group, whether for statistical purposes, punishment, or therapy. Therefore the so-called sex psychopath laws, which have been adopted in fifteen states, are seriously questionable insofar as they prescribe or permit long or indefinite sentences until "cure", especially where the commitment is or may be to a purely custodial institution, or where finances or scientific personnel are unavailable or inadequate for a realistic program of study and treatment.<sup>176</sup> On the other hand, provision must be and generally is made by other laws for the commitment of mentally deranged and dangerous persons. The difficulty with many of the sex psychopath laws is that they permit too ready an inference of public danger from relatively minor episodes of deviate sexuality. This danger probably exists also in the general commitment statutes which often contain broad definitions of mental illness that could easily comprehend the "sex psychopath." The reform of this legislation, however, goes beyond the present boundaries of the Penal Code project. A related question is whether deviate sex offenses require a special test of criminal responsibility, e.g., to take account of "irresistible impulse" or violations "caused by" mental illness. Except to observe that a test of knowledge of right and wrong is clearly inadequate for some of these cases, we leave the matter to be resolved in the General Part of this Code. There it might be provided, for example, in addition to the extended sentence initially imposed in habitual and psychopathological cases, that no prisoner should be discharged at the end of his term if it is established that he would perpetrate dangerous aggressions.

Our proposal to exclude from the criminal law all sexual practices not involving force, adult corruption of minors, or public offense is based on the following grounds. No harm to the secular interests of the community is involved in atypical sex practice in private between consenting adult partners. This area of private morals is the

175. See Appendix B on Causes of Sexual Deviation; Appendix C on Cure of Sexual Deviation.

176. See Appendix D, Comments on Sex Psychopath Laws; and the careful and comprehensive Report to the New Jersey Legislature of the Commission on The Habitual Sex Offender (1950). This report, drafted by Professor Paul W. Tappan, was based on extensive consultation with judges, prosecutors,

distinctive concern of spiritual authorities. It has been so recognized in a recent report by a group of Anglican clergy, with medical and legal advisers, calling upon the British Government to reexamine its harsh sodomy law.<sup>177</sup> The distinction between civil and religious responsibilities in this area is reflected in the penal codes of such predominantly Catholic countries as France, Italy, Mexico and Uruguay, none of which attempt to punish private misbehavior of this sort. The Penal Codes of Denmark, Sweden and Switzerland also stay out of this area. On the other hand, the German Code of 1871, still in force, contains broad and severe provisions directed particularly against male homosexuality.

As in the case of illicit heterosexual relations, existing law is substantially unenforced, and there is no prospect of real enforcement except against cases of violence, corruption of minors and public solicitation. Statutes that go beyond that permit capricious selection of a very few cases for prosecution and serve primarily the interest of blackmailers. Existence of the criminal threat probably deters some people from seeking psychiatric or other assistance for their emotional problems; certainly conviction and imprisonment are not conducive to cures. Further, there is the fundamental question of the protection to which every individual is entitled against state interference in his personal affairs when he is not hurting others. Lastly, the practicalities of police administration must be considered. Funds and personnel for police work are limited, and it would appear

probation and parole authorities, medical, religious and educational groups. Information was obtained by questionnaires submitted to 300 psychiatrists familiar with sexual deviation. A panel of 15 outstanding authorities in psychiatry, law, biology, case work and sociology met to advise the Commission. Sanford Bates, New Jersey Commissioner of Corrections, convened a conference of officials from eight northeastern states. The position taken in the present report and comments is largely based on the facts gathered and presented in the Bates Report. The recommendations of the New Jersey Commission laid heavy emphasis on non-criminal law programs of prevention. In accord with the cautious recommendations of the Commission with regard to the criminal law, the New Jersey Legislature declined to follow the prevailing pattern of the "sex psychopath" laws, which in effect eliminate any ceiling on sentences for sex offenses, and in some cases dispense with the necessity of proving that the defendant did commit a criminal offense. Instead, the New Jersey statute does require conviction, and detention is authorized only for the maximum term authorized by the penal law. The New Jersey Legislature failed, however, to adhere to the Commission's recommendation that the program of special examination, and sentence of sex offenders be restricted to serious sex offenses involving a pattern of repetitive compulsive behavior plus either violence or age disparity between victim and aggressor. See also note, Pennsylvania's New Sex Crime Law, 100 U. of Pa. L. Rev. 727 (1952).

177. *The Problem of Homosexuality, An Interim Report* (1954) published by The Church of England Moral Welfare Council.

178. Georg K. Sturup, M.D., *Sexual Offenders and Their Treatment in Denmark and the other Scandinavian Countries*, 4 INTERNATIONAL REVIEW OF CRIMINAL POLICY 1, 2 (1953); Mueller, *Present Trends in Continental European Sex Crime Legislation* (1953) (prepared for the Illinois Commission on Sex Offenders).

to be poor policy to use them to any extent in this area when large numbers of atrocious crimes remain unsolved. Even the necessary utilization of police in cases involving minors or public solicitation raises special problems of police morale, because of the entrapment practices that enforcement seems to require,<sup>179</sup> and the temptation to bribery and extortion.

At the present time only New York has a statute which, like our proposal, treats deviate sexuality with primary emphasis on the aggression, grading the offense in a manner quite similar to rape. But even there consensual relations between adults remains a misdemeanor, and intercourse with an animal, bird or corpse continues to carry penalties as high as life imprisonment.

## (2) Deviate Sexual Intercourse.

The statutes of nearly all states punish fellatio (oral stimulus of the male sex organ), cunnilingus (oral stimulus of the female sex organ), anal intercourse (sodomy originally meant anal intercourse between men, but by extension the term has been applied to all anal and oral intercourse as well as buggery and necrophilia), and bestiality (copulation between human and animal). The term buggery is used to refer collectively to bestiality plus anal intercourse. In a few states and in England, fellatio and cunnilingus are not included so that the offense is limited to bestiality and anal intercourse by males. One result is to make male homosexuality a grave offense while leaving Lesbianism unpunished in these jurisdictions.<sup>180</sup> Where mouth-genital contact is held not to be covered by the sodomy law, it may be punishable under statutes dealing with lewd and lascivious behavior.<sup>181</sup> The distinction thus drawn between two closely related types of sexual deviation results in a preposterous difference in maximum sentence: e.g. twenty years for anal sodomy; three years for oral. It is common to provide that "any penetration, however slight" suffices to complete the offense. If the atypical sex practice is criminal, both participants are guilty, that is to say, both the active and the passive partner, consent being no defense. And the law reaches into the very privacy of the marriage chamber to punish husband and wife who depart from its standards.<sup>182</sup> Punishment provided under present law, aside from the indeterminate sentences of the

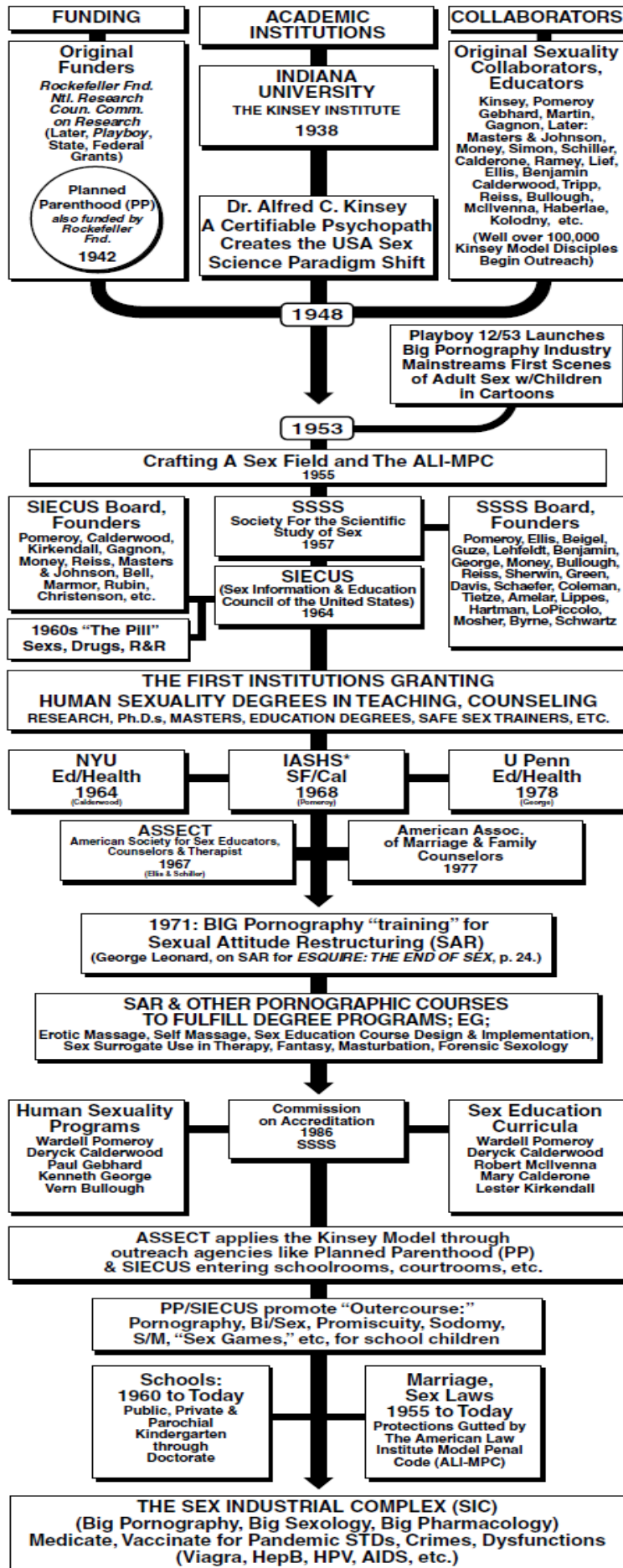
179. See *Kelly v. United States*, 194 F. 2d 150 (D.C. Cir. 1952) holding that a policeman's unsupported testimony was insufficient to convict, and pointing to the dangers of blackmail particularly when the charge is solicitation.

180. Society has never regarded or treated female homosexuality as harshly as male homosexuality either socially or legally. Kinsey, Pomeroy, Martin and Gebhard, *Sexual Behavior in the Human Female*, 463 et seq. (1953).

181. *State v. Morrison*, 25 N.J. Super. 534, 96 A.2d 723 (1953). An equally irrational distinction prevails in Ohio, where fellatio but not cunnilingus falls in the gravest category. *State v. Forquer*, 74 Ohio App. 293, 58 N.E. 2d 696 (1944).

182. *Reg. v. Jellyman*, 8 Car. & P. 604 (1838); 3 Burdick, *The Law of Crime*, Sec. 879.

# Scientific Authority for the Sex Industry Complex (SIC) in the 20th - 21st Century



## APPENDIX E

## APPENDIX F

The 1950 article in the *Group for the Advancement of Psychiatry* (GAP) advocating “under” age “7” as perhaps sexually responsible could agree with the MPC

### MPC: If legal, it can be “education”

Laws	1948	Post 1955
Obscenity/Porn	Prison, fines	Legal taught in schools
Age of Consent	16, 18, 21 years old	Can be 12 to 18
Rape	Death in 18, Life in 22 States	6 months to 4 years
Statutory Rape	Death in 16 States	0 months to 2 years
Seduction	Prison and/or Fines	Legal (consent)
Adultery	Prison and/or Fines	Decriminalized
Divorce	Fault: Alimony, estate	No Fault, No Alimony
Child Custody	Mother	Financially based
Abortion	Absent grounds “Punished”	Legal in most cases
Oz/anum sodomy	Prison and/or Fines	Legal taught in schools

23

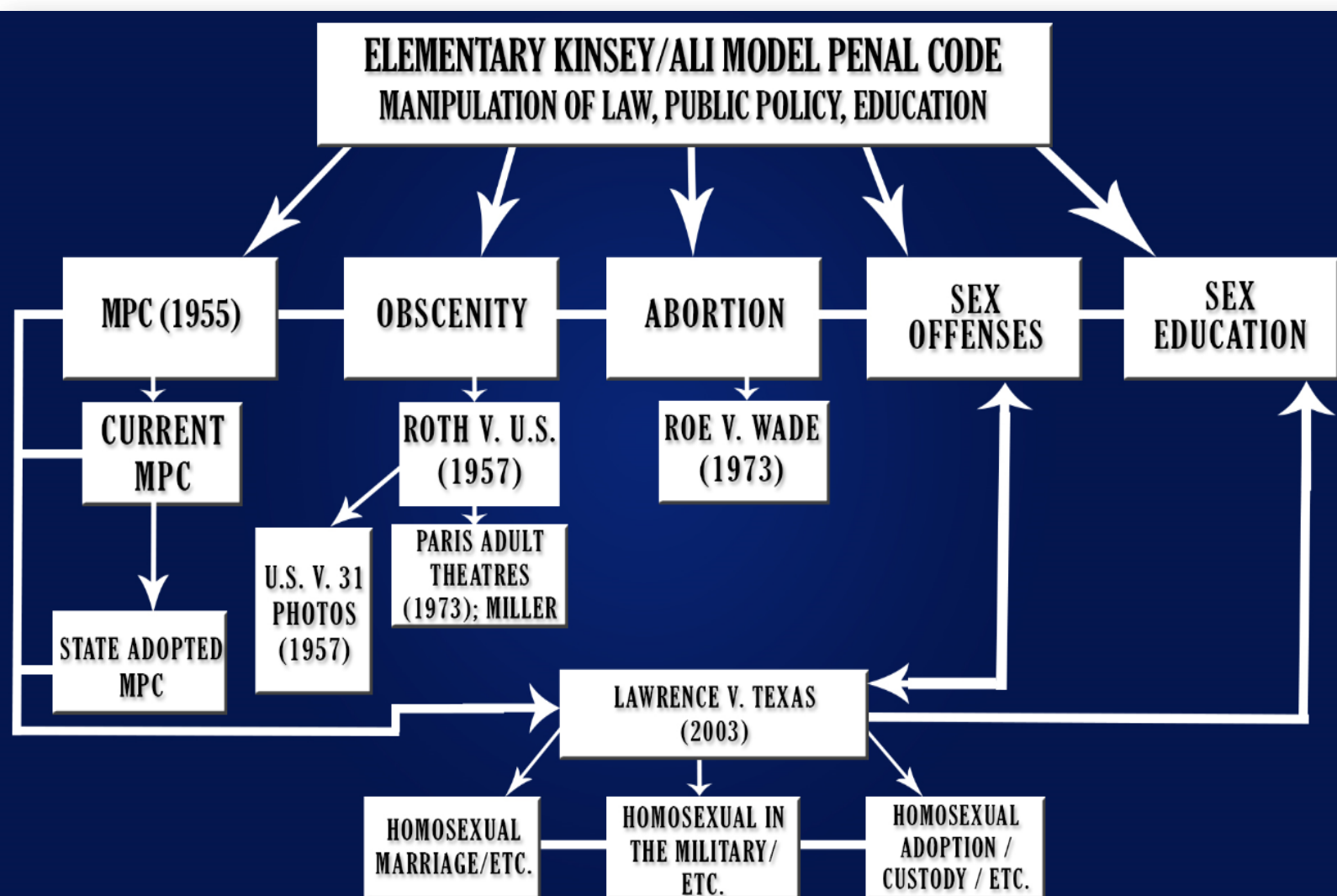
# APPENDIX G

TABLE 34, PAGE 180, MALE VOLUME

AGE	NO. OF ORGASMS	TIME INVOLVED	AGE	NO. OF ORGASMS	TIME INVOLVED
5 mon.	3	?	11 yr.	11	1 hr.
11 mon.	10	1 hr.	11 yr.	19	1 hr.
11 mon.	14	38 min.	12 yr.	7	3 hr.
2 yr.	{ 7	9 min.	12 yr.	{ 3	3 min.
2½ yr.	{ 11	65 min.	12 yr.	{ 9	2 hr.
4 yr.	4	2 min.	12 yr.	12	2 hr.
4 yr.	6	5 min.	12 yr.	15	1 hr.
4 yr.	17	10 hr.	13 yr.	7	24 min.
4 yr.	26	24 hr.	13 yr.	8	2½ hr.
7 yr.	7	3 hr.	13 yr.	9	8 hr.
8 yr.	8	2 hr.	13 yr.	{ 3	70 sec.
9 yr.	7	68 min.	13 yr.	{ 11	8 hr.
10 yr.	9	52 min.	13 yr.	{ 26	24 hr.
10 yr.	14	24 hr.	14 yr.	11	4 hr.

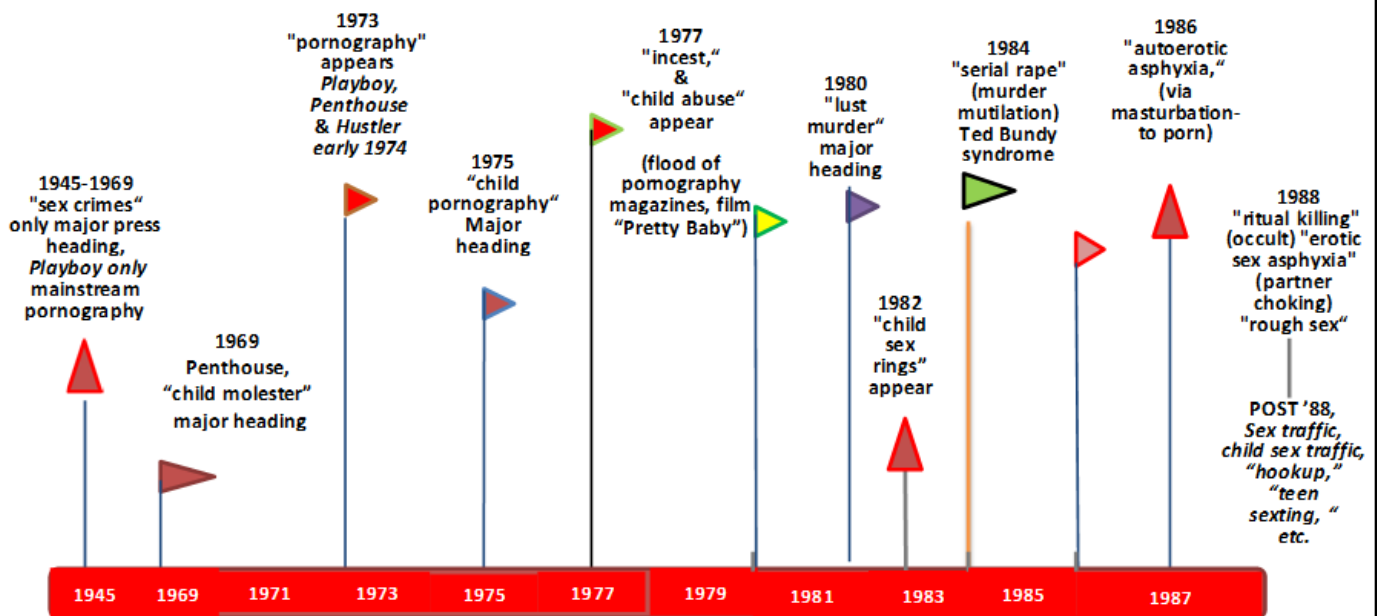
Table 34. Examples of multiple orgasm in pre-adolescent males

## APPENDIX H



## APPENDIX I

### *Major Press Headings\* Document How Judicial Sex Rulings Have Changed Society --See Part 5*



Judith Reisman, PhD.: Data base provided by  
Lucinda G. Hill, MLS, U of KY, Lexington, 1986

\* Subject Heading Data from *NYT Index and Reader's Guide to Periodical Literature 1945-1986*.

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## APPENDIX J

### THE ALI MODEL PENAL CODE (MPC) REMOVES PROTECTIONS FOR WOMEN & CHILDREN U.S. Justice System 1948 - Today: Experts Usurp Jury of One's Peers

