

Los Angeles Times

Editorial Condoms for porn actors: A statewide law isn't the answer



Entertainers pose for photos on the red carpet during the Xbiz adult film awards in Century City earlier this year. (Los Angeles Times)

By **THE TIMES EDITORIAL BOARD**

August 10, 2014

Nearly two years ago, Los Angeles County voters passed Measure B, a controversial ballot proposal requiring adult film actors to use condoms when performing sex scenes. The law was presented to voters as a public health measure designed to prevent workers in the so-called porn capital of the world from contracting and spreading HIV and other sexually-transmitted diseases.

But there's no evidence that the law has had its intended effect. Instead, many adult film production companies have moved their shoots outside of the county — and in some cases, out of the state or country. Others have stopped filing for county film permits and have reportedly continued to shoot without complying with the condom mandate. In all, the number of permits issued to adult films in L.A. County dropped 90% in 2013 after Measure B went into effect, and there is no indication that porn stars are any safer today than they were two years ago.

Given Los Angeles County's experience, it's mind-boggling that so many state legislators have backed a bill that would essentially expand Measure B statewide. Assembly Bill 1576 would require film producers to document that actors use condoms during vaginal or anal intercourse, and it would require regular HIV and STD testing of actors.

The bill's author, Assemblyman Isadore Hall III (D-Compton), has argued that porn stars are workers and deserve a safe workplace. He's right. Performers should use condoms and producers

should encourage them to do so. In 2010, The Times editorial board supported a proposed ordinance in L.A. that would have required condoms in adult film productions.

“The number of permits issued to adult films in L.A. County dropped 90% in 2013 after Measure B went into effect.”

But upon further research, it became clear that government is ill-equipped to mandate and enforce the use of condoms on adult film sets. In fact, state occupational health regulations already call on all employers to prevent their workers from being exposed to blood, semen and saliva in the course of their job — and regulators have interpreted that to mean that porn actors must use condoms. But the rules are routinely ignored, and the state doesn't have the staff to inspect film sets, which, by the very nature of the business, are often in under-the-radar locations such as homes.

Industry leaders argue that their voluntary system of testing actors every two weeks for HIV and STDs, and providing the results to producers, agents and other performers, is a better, more practical way to prevent the spread of disease on set. And there is concern that if the pornography business leaves its base in California and becomes fragmented around the globe, the industry's testing protocols will be weakened and performers will be at greater risk of getting sick.

When the editorial board opposed Measure B in 2012, we said that its proponents were taking an attitude of "let's pass it and see what happens." Well, now we know what happened. Legislators should learn from L.A. County's experience and reject AB 1576.