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ATTORNEY GENERAL MASTO ANNOUNCES NINTH CIRCUIT COURT DECISION LIMITING BROTHEL ADVERTISING

Carson City, NV: Nevada Attorney General Catherine Cortez Masto announced today that the Ninth Circuit Court of Appeals has upheld Nevada state laws that limit brothel advertising.

"I am glad to see common sense has prevailed," said Attorney General Masto. "This state has had restrictions on brothel advertising for 40 years. Nevada should have the right to have reasonable limitations on this type of activity. I am pleased the 9th Circuit Court of Appeals corrected the decision by the lower federal court to overturn those long standing restrictions as violating the First Amendment."

The laws had been challenged by the American Civil Liberties Union, together with the Shady Lady Ranch, a brothel in Nye County, and two newspapers, the High Desert Advocate and Las Vegas City Life. The federal district court in Reno had upheld the challenge and invalidated the laws that prohibit brothel advertising in counties where prostitution is illegal. The laws also prohibit brothel advertising in theaters and on streets and public highways.

"We are pleased that our State's policies were acknowledged and our laws were upheld," Masto said. "Free speech is perhaps our most cherished right. But prostitution is a difficult issue in every state. The Circuit's decision proves there are different ways to deal with the issue without trampling on First Amendment rights."

The Ninth Circuit reversed the lower court's decision. It wrote: "Nevada has, uniquely for this country, delineated a more nuanced boundary [than total criminalization of prostitution], but still seeks to closely confine the sale of sex acts, geographically . . . and through the advertising restrictions. We conclude that the interest in preventing the commodification of sex is substantial."

General Masto added there has been no indication yet whether the ACLU and the other challengers will seek a rehearing, or whether they might appeal to the U.S. Supreme Court.