



LISA K. BLATT  
Direct Dial (410) 338-6311  
LBlatt@SBGNet.com

January 6, 1999

Mr. Dan Cohen  
KBSI  
806 Enterprise  
Cape Girardeau, MO 63703

Re: Complaint from the National United Parents Association

Dear Dan:

I am a new attorney who works with Bob Quicksilver in the Legal Department. Please find attached (1) a complaint from the National United Parents Alliance concerning the TV shows, "Ally McBeal" and "Melrose Place," and (2) our response to the complaint.

These documents should be placed in the FCC public file at your station. If you have any questions, please feel free to call me at (410) 338-6311.

Sincerely yours,

Lisa K. Blatt

Attachments

cc: Bob Quicksilver

LKB:emw

Lisa



**From:** Eveline Wengryn  
**To:** Parents Alliance  
**Date:** 1/4/99 5:09PM  
**Subject:** Recent Broadcast Complaint

Dear Sir or Madam:

I am an attorney at Sinclair Communications, Inc., we are in receipt of your letters to a number of our stations complaining about broadcasts of the programs "Ally McBeal" and "Melrose Place" which you allege are "obscene." We appreciate your interest in our programming.

Both of the programs about which you complain are Fox Network programs which we must air pursuant to our affiliation agreement with the Network. There are severe penalties in the affiliation agreement if we refuse to air regularly scheduled programming.

We understand your concern but we do not believe that the material in these programs is obscene. The FCC considers broadcast speech obscene if a three part test is met. Specifically, the FCC looks at whether (a) the speech appeals to the prurient interest, (b) it describes or depicts sexual conduct in a patently offensive manner, and (c) taken as a whole, it lacks serious literary, artistic, political or scientific value. We do not believe that the programming about which you complain is obscene under this standard. Furthermore, despite the fact that both programs have been broadcast for some time, we could find no record that the FCC has ever had any problem with the broadcast of these programs.

Very truly yours,  
Lisa Blatt

**CC:** Lisa Blatt

The National United  
Parents Alliance

EMAIL: watchdog20@hotmail.com  
Date: 12/5/98

KBSI-TV Licensee  
KBSI LICENSEE L.P.  
2000 WEST 41ST ST  
BALTIMORE, MD 21211

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Attached are copies of FCC complaints that were filed for broadcasting obscene programming. We believe your broadcasting "Melrose Park" and "Ally McBeal" has violated FCC regulations, and The United States Code, State Law, and has also breached the public interest.

It is our intention to file complaints and use every other legal means every time your station broadcasts obscene programs. We are mobilizing the community and it is our intention if your station continues violating the law, that 1,000 complaints be made for every obscene broadcast.

Think about it - is heavy fines and jail time worth it?

Sincerely,

The National United Parents Alliance

attached: Copies complaints

from:

The National United  
Parents Alliance

EMAIL: watchdog20@hotmail.com

to: INTERNET EMAIL ADDRESS: complaints-enf@fcc.gov

William E. Kennard, Chairman  
Federal Communications Commission  
COMPLAINTS AND POLITICAL PROGRAMMING BRANCH  
2025 m street, nw, room 8210  
ENFORCEMENT DIVISION, MASS MEDIA BUREAU  
WASHINGTON, DC 20554

Date: 12/05/98

\*\*\*\* FORMAL COMPLAINT \*\*\*\*  
BROADCASTING OBSCENE PROGRAMMING

We believe:

Licensee: KBSI at frequency: 524.000  
KBSI LICENSEE L.P.

2000 WEST 41ST ST, BALTIMORE, MD 21211

on or about: 11/16/98 at or about: 8:00-8:59 P.M.

program length: 60 minutes, program name: MELROSE PLACE

has violated Federal law Title 18 United States Code, Section 1464 (18 U.S.C. 1464) and The Communications Act, Title V, Section 503 & 639, by broadcasting obscene programming. Please investigate.

Attached is a audio / video computer file recording having recorded excerpts. The spoken words and video predominantly appeals to the prurient, obscene, shameful, lewd, filthy, lascivious, vulgar, and morbid interest. The sexual conduct is patently offensive to the prevailing standards in the adult community as a whole. The program contained strong coarse language with intensely sexual suggestive dialogue.

Video and audio depicted: Scene of woman undressing in front of an uncovered window with discussion of sexual arousal. Scene in bathroom of man and woman undressing each other. Scenes with graphic discussion of sexual intercourse. "...don't do that - somebody could be watching". "I know...come on Ryan you tell me this doesn't turn you on". "Is sex all that matters to you?" "No, there is always love and I love having sex with you. Now, take off your clothes". "No, you take off my clothes". "Alright, honey that's more like it". "...see their flesh flapping...their body flapping". "You saw Jane and Alex having sex..." "No, no ryan and leslie here". "Oh, Michael...half naked bodies...growning - mouning...".

We believe the programming material has meet the three-prong test of obscenity; (1) an average person, applying contemporary community standards, must find that the material, as a whole, appeals to the prurient interest; (2) the material must depict or describe, in a patently offensive way, sexual conduct specifically defined by applicable law; and (3) the material, taken as a whole, must lack serious literary, artistic, political, or scientific value.

We believe the licensee knowingly committed this act and the circumstances were clear as would put a person of ordinary intelligence and caution on inquiry as to such contents. The licensee has willingly and knowingly breached the public interest in a conscious and deliberate violation of the provisions of The Communications Act and

the United States Code. We believe the licensee did also transmit the obscene broadcast to the local cable station(s) to broadcast. We believe this station is involved in violation of U.S.C. Title 18, Section 1961-1968 Racketeer Influenced and Corrupt Organizations (RICO) by being involved in a large-scale distribution of obscenity realizing substantial income from multistate operations with evidence of organized crime involvement. Since we believe the licensee was in clear violation of Federal Law, we demand: 1) Two \$10,000 fines for the two separate obscene broadcasts and 2) Impose a prison term of two years in accordance with U.S.C. 47 Section 559.

We request confidentiality by giving only our Internet email address. We would like confirmation that you received this complaint and information on the final disposition of this complaint.

Sincerely,

The National United Parents Alliance

Attached: audio and video computer file: melrose\_111698.rm

from:

The National United  
Parents Alliance

EMAIL: watchdog20@hotmail.com

to:INTERNET EMAIL ADDRESS: complaints-enf@fcc.gov

William E. Kennard, Chairman  
Federal Communications Commission  
COMPLAINTS AND POLITICAL PROGRAMMING BRANCH  
2025 m street, nw, room 8210  
ENFORCEMENT DIVISION, MASS MEDIA BUREAU  
WASHINGTON, DC 20554

Date:12/05/98

\*\*\*\* FORMAL COMPLAINT \*\*\*\*  
BROADCASTING OBSCENE PROGRAMMING

We believe:

Licensee: KBSI at frequency:524.000

KBSI LICENSEE L.P.

2000 WEST 41ST ST, BALTIMORE, MD 21211

on or about: 11/16/98 at or about: 9:00-9:59 P.M.

program length: 60 minutes, program name: ALLY MCBEAL

has violated Federal law Title 18 United States Code, Section 1464 (18 U.S.C. 1464) and The Communications Act, Title V, Section 503 & 639, by broadcasting obscene programming. Please investigate.

Attached is a audio / video computer file recording having recorded excerpts. The spoken words and video predominantly appeals to the prurient, obscene, shameful, lewd, filthy, lascivious, vulgar, and morbid interest. The sexual conduct is patently offensive to the prevailing standards in the adult community as a whole. The program contained strong coarse language with intensely sexual suggestive dialogue.

Video and audio depicted: A female stuck in a toilet. Discussion on penis and breasts. discussion on sexual arousing and masturbation. Described a male's semen in someone's ear. "A bunch of guys staring at breasts and butts, tongues hanging out". "Sex is a weapon. We all use. We tease. We tantalize. We withhold it. Something we do in almost every walk of life. Be it marriage - business. God gave us that advantage by giving man the dumbstick...". "The dumbstick"? "Penis, they all got them". "As a woman you see nothing wrong with...putting girls in a ring... putting mud on their breasts with the sole purpose of titillating men"? "No". "Is there anything particularly aesthetic about a lump with a nipple that would cause a man to jeopardize his marriage, his business, his presidency"? "...a ninety year woman passes by. Huge breasts hanging over her walker. Hey go check out those". "You grow up hiding in a closet with a flashlight, a copy of playboy - trying not to get the pages sticky. Wondering if you are some kind of deviant - fear of becoming a pervert". "Night clubs feature comedians telling graphic sex jokes. many using violent sexual humor. The dramatic movies depict naked explicit sex. The comedy's show semen dripping from ears".

We believe the programming material has met the three-prongtest of obscenity; (1) an average person, applying contemporary community standards, must find that the material, as a whole, appeals to the prurient interest; (2) the material must depict or describe, in a patently offensive way, sexual conduct specifically defined by applicable law; and (3) the material, taken as a whole, must lack serious literary, artistic, political, or scientific value.

We believe the licensee knowingly committed this act and the circumstances were clear as would put a person of ordinary intelligence and caution on inquiry as to such contents. The licensee has willingly and knowingly breached the public interest in a conscious and deliberate violation of the provisions of The Communications Act and the United States Code. We believe the licensee did also transmit the obscene broadcast to the local cable station(s) to broadcast. We believe this station is involved in violation of U.S.C. Title 18, Section 1961-1968 Racketeer Influenced and Corrupt Organizations (RICO) by being involved in a large-scale distribution of obscenity realizing substantial income from multistate operations with evidence of organized crime involvement. Since we believe the licensee was in clear violation of Federal Law, we demand: 1) \$10,000 fines for each separate obscene broadcasts and 2) Impose a prison term of two years in accordance with U.S.C. 47 Section 559.

We request confidentiality by giving only our Internet email address. We would like confirmation that you received this complaint and information on the final disposition of this complaint.

Sincerely,

The National United Parents Alliance

Attached: audio and video computer file: ally\_mcbeal\_111698.rm  
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