

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

FREE SPEECH COALITION, INC.,) 09-cv-4607
et al,)
)
Plaintiffs,)
)
)
vs.)
)
THE HONORABLE ERIC HOLDER, JR.,)
in his Official Capacity as)
Attorney General of the United)
States,) Philadelphia, PA
) June 5, 2013
Defendant.) 9:10 a.m.

TRANSCRIPT OF TRIAL
BEFORE THE HONORABLE MICHAEL M. BAYLSON
UNITED STATES DISTRICT JUDGE

APPEARANCES:

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1 someone under the age of 18?

2 A I think everyone here is -- well, maybe. Sorry. You look
3 kind of young and the woman in the back looks kind of young,
4 but everyone else looks of majority and clearly older to me.

5 Q Is it your -- if someone is over the age of 25, do you
6 think you can generally just by looking at the person tell
7 whether they're a minor or over the age of majority?

8 A I believe so.

9 MR. MURRAY: Okay. Thank you, Your Honor. That's
10 all I have.

11 THE COURT: Recross?

12 MR. BLADUELL: No, Your Honor.

13 THE COURT: All right. Thank you very much.

14 THE WITNESS: Thank you.

15 THE COURT: Next witness, please.

16 MR. MURRAY: Your Honor, the plaintiffs at this time
17 would call the plaintiff, Betty Dodson.

18 THE COURT: Okay.

19 THE CLERK: Raise your right hand.

20 BETTY DODSON, PLAINTIFF'S WITNESS, SWORN

21 THE CLERK: Please be seated. Please state your full
22 name and spell your last name for the record.

23 THE WITNESS: Betty Dodson, D-O-D-S-O-N.

24 THE COURT: Go ahead.

25 DIRECT EXAMINATION

1 BY MR. MURRAY:

2 Q Ms. Dodson, what city do you live in? What city do you
3 live in?

4 A New York City.

5 THE COURT: Pull the microphone right in front of
6 your mouth, please. Thank you.

7 THE WITNESS: You're welcome.

8 BY MR. MURRAY:

9 Q And tell the Court what your profession is and has been
10 over the years.

11 A Well, I started out as a fine artist. I had a career -- a
12 full career in fine art, and then I segued to sex education as
13 a feminist.

14 Q And what kind of fine art did you create?

15 A Classical. Classical nudes, renaissance.

16 Q And then that segued into becoming a sex educator, you
17 said?

18 A Exact -- yeah. Correct.

19 Q And how long have you been a sex educator?

20 A Since the '70s.

21 Q Okay. And how old are you now?

22 A Eight-four.

23 Q Okay. And so how -- for how many years have you been a
24 sex educator?

25 A I can't count, but since -- you know, 70, 80, 90, to, you

1 know, 2013.

2 Q Okay.

3 A Anyone got a calculator?

4 Q And why don't you describe for the Court what your career
5 has been, what kinds of things you've done as a sex educator
6 over the past quarter of a century.

7 A To segue from fine art to teaching about sex was basically
8 done with workshops, and I use what they call the consciousness
9 raising format of the feminist movement. I'd had a lot of
10 sexual experiences thanks to the revolution. We had a sexual
11 revolution in this country. People have forgotten evidently,
12 but it was very open and very -- very safe and very
13 enlightening, and I would say the bulk of my information is
14 based on experience versus reading books. It's hard to learn
15 about sex by reading a book. It's better to do it.

16 So I had women get together, and this is the
17 consciousness raising format, and we would sit in a circle and
18 we would share our stories, in other words, whatever what was
19 going on our life, first person. The personal was -- it turned
20 out the personal was very political. It wasn't just my
21 problem. It was -- we all had the same problem.

22 Q Okay. And in addition to workshops, what did you do?

23 A That was basically it. I mean, that was -- I did that for
24 many years, and then later on, I started doing -- well, then I
25 went to -- then I got a degree in sexology.

1 Q Okay. And then did you then move into the area of doing
2 videos?

3 A Yes. I -- first I wrote books, and then I segued over to
4 -- because in order to teach anything, you really need a
5 visual, and it's true. A picture is worth a thousand words.
6 So from the visual, I then started writing, and my books
7 combined art, writing and words. So I learned to write, and I
8 have a book that's actually international best seller on the
9 marketplace to this day.

10 Q What's it called?

11 A Sex for One.

12 Q And what --

13 A My expertise is masturbation. No one talked about it. No
14 one wanted to deal with it. It's something most everyone does,
15 but we don't acknowledge it, and I believe that it is the
16 foundation for all of human sexual activity.

17 Q And when did you author that book? How long has that book
18 been in publication?

19 A Well, first, I did it in 1974, and then a mass marketer
20 took it over in 1986.

21 Q Okay.

22 A And then it was all over, and then it had many, many
23 foreign countries, lots of foreign editions. I lost count.

24 Q Okay. Have you authored other books or articles?

25 A Oh, many. Yes.

1 Q Can you give us some additional examples that come to
2 mind?

3 A The next book was Orgasms for Two to help people have
4 partner sex that was mutually orgasmic. Unfortunately, we're
5 still using the male model of sexual response for women, and it
6 doesn't work for us.

7 Q Ok. And what other books have you authored?

8 A Those two, and then many -- of course, many articles.

9 Q And where have your articles been published? What kinds
10 of places?

11 A Women's magazines, men's magazines. I mean, I could -- I
12 could go and look for the list, but it's many, many magazines.
13 It's any magazine that would publish an article about sex.

14 Q Okay. And have you spoken? Have you -- do you have
15 speaking engagements?

16 A Yes. Yes. I have lectured frequently.

17 Q And where have you traveled to lecture?

18 A Well, I'm very popular in Scandinavia. As advanced as
19 they are, they still want my information.

20 Q Okay. And across the United States, have you given
21 lectures?

22 A Yes. Yes, I have. I've been -- I run workshops, and I've
23 lectured in New York, Chicago, L.A., San Francisco. I even
24 stopped off in Wichita, which is my home town, and shook things
25 up a little.

1 Q And did you then begin producing sexually explicit videos
2 as a teaching mechanism?

3 A Yes, I did.

4 Q And when did you begin that approximately?

5 A That was in the '90s.

6 Q Okay. And what kind of videos -- we've seen some in
7 evidence, but why don't -- from your perspective, what kind of
8 videos did you create?

9 A The first one I did was to document the -- the workshop.
10 I called it The Body Sex Workshop, and that was the Self Loving
11 video I saw you looking at.

12 Q Okay.

13 A And that was just documenting something I had been doing
14 for years.

15 Q And what was the educational message of that video?

16 A That was once again, the format of the feminist movement,
17 sitting in a circle, consciousness raising, and I added nudity
18 to it, because everybody has terrible, terrible body images.
19 We all think there's something very wrong with us, and this is
20 a very serious problem for women. In order for them to be
21 sexual or to enjoy their bodies, they have to learn to like
22 them.

23 So we would find out when we would sit in the circle
24 and everybody was nude, that we all were beautiful in one form
25 or another, and I knew that from fine art, from looking at

1 nudes, drawing the nude. The nude body is extraordinary.

2 Q Okay. And then what other videos did you produce after
3 that first one?

4 A Oh, darling, give me a hand here, because I'm old and it's
5 hard to remember.

6 Q Okay. Well, generally speaking, why don't you describe
7 what the educational aspects were of the collection of videos.

8 A It's basically the same thing. It's accepting your body,
9 accepting your genitals, learning to have an orgasm first with
10 yourself so that you have something to share with a partner. I
11 mean, men are well meaning and all that, but they really don't
12 know how we function, and you have to find out from the woman
13 what she prefers, but if she's never touched her own body, she
14 doesn't know. So this is how I teach basic.

15 Q Okay. Now, you're familiar with 2257, the statute, 2257?

16 A Oh, are you kidding? I'd like to forget it.

17 Q And do you collect IDs in connection with --

18 A Yeah. Yeah.

19 Q -- your videos?

20 A Yeah. Of course I did.

21 Q And do you maintain them in your residence?

22 A Yes.

23 Q And is -- where are the videos produced?

24 A In my -- in my apartment. That's where I do my
25 productions. That's where I have done my workshops. When I

1 was an artist, I had a studio someplace else.

2 Q Now, I want to ask you about the website that you have,
3 and on it, I want to ask you about the Genital Art Gallery.

4 A Yeah. I consider that a research project.

5 Q Tell the Court about how that Genital Art Gallery came
6 into being, what its purpose is.

7 A Well, the purpose is always -- of course, I knew that the
8 women all thought they were genitally deformed. This is a very
9 personal thing for me. I thought I was genitally deformed
10 until I was 35 years old. Now, that's a serious handicap for
11 any woman to live through, and then I was struggling to have an
12 orgasm with partner sex, because I thought it had to be
13 vaginal. We're still stuck in the dark ages when it comes to
14 female sexuality, and I'm sick of it and I'm going to fight it
15 until I -- last breath. Eight-four, I'm just getting started.

16 Q So tell us about the purpose of the Genital Art Gallery
17 though.

18 A It's to let people know there is a vast variety of
19 appearances for both vulvas and penises. I now know that the
20 young men have as many problems as the young women, thinking
21 that their dicks are not big enough.

22 Q Okay. And so the idea was to have these images posted so
23 that there would be a variety for people to see?

24 A Absolutely, and I also invited people to talk about their
25 first sexual experience, the first time they masturbated, and

1 any information that they wanted to share.

2 Q Okay. And you're familiar with the fact that in about
3 2009, the law changed to require the collection of photo IDs
4 for both --

5 A It -- it ended the gallery. It was over, because the
6 whole point was anonymity. I mean, if some guy is -- you know,
7 is the head of a company or he's an educator or his wife
8 doesn't know he -- you know, he took a picture of his -- of his
9 dick and he wants to send it to me because it's thrilling for
10 him to display his genitals and to find out that he, indeed, is
11 normal. Ha ha ha ha. So he doesn't want to give me his
12 driver's license.

13 Q And so what has happened to the Genital Art --

14 A It's -- it's finished as far as I'm concerned.

15 MR. MURRAY: Okay. Thank you very much. That's all
16 I have.

17 THE COURT: All right. Cross, please.

18 THE WITNESS: I just want you to know that I've been
19 at a terrible disadvantage throughout this whole thing, because
20 my new hearing aids were not working and David loaned me his,
21 and now I can hear. I have no idea what's gone on beforehand.
22 So --

23 THE COURT: Well, you can --

24 THE WITNESS: -- take it away.

25 THE COURT: You can sit in the jury box if that will