

Nevada considering strict condom regulation for porn films

January 24 2015, by Ken Ritter



In this Jan. 21, 2015, photo, adult film actress Jillian Janson signs autographs for fans at the AVN Adult Entertainment Expo in Las Vegas. The idea that porn stars might have to wear protection in productions filmed in Nevada generated a buzz among some of the 25,000 attendees collecting autographs from porn stars posing in fishnet stockings and bustiers. (AP Photo/John Locher)

Adult film production migrated from California to Nevada after voters in Los Angeles County approved a law requiring condom use on set.

Now, a condom use requirement could follow.

Nevada health officials said Friday that they're considering strict brothel-style regulations for a booming adult film industry following the announcement last month that two male performers tested positive for HIV following a video shoot in the state.

"The potential exists to require condoms and other barrier options in all [sexual contact](#)," state Department of Health and Human Services spokeswoman Mary Woods said in a statement.

The idea that porn stars might have to wear protection in productions filmed in Nevada generated a buzz among some of the 25,000 attendees collecting autographs from porn stars posing in fishnet stockings and bustiers at this week's Adult Video News Expo at the Hard Rock Hotel & Casino.

"I prefer no condoms," said Rob Tatka, a 29-year-old tourist from Chicago who collected a bag full of posters of his favorite stars to take home. "Porn is about fantasy," he said, "and honestly, no man wants to use one in real life."

Condoms can cause friction, irritation or even infection during scenes that take hours to film before being edited, said Keiran Lee, a veteran male performer who lives in Los Angeles with his wife and children.

Lee, 31, said he sometimes shoots 22 scenes a month. "I have the option to use them, but I don't," he said.

Woods, in the health department statement, said it could take up to two years to collect data and public comment about the Nevada proposals, and she called it too early to know the outcome of the process.

But for conference attendees enjoying a city synonymous with sin—and a state home to the only legalized prostitution in the nation—the idea of putting condoms on actors and categorizing adult entertainment production with brothels drew criticism.

Porn actors aren't prostitutes, said Diane Duke, chief executive of the Free Speech Coalition, an industry trade group that administers strict HIV testing and a database showing pass-fail results. Duke said the database lists 6,000 porn performers since 2011.



In this Jan. 21, 2015, photo, adult film actress Jillian Janson poses for fans at the AVN Adult Entertainment Expo in Las Vegas. The idea that porn stars might have to wear protection in productions filmed in Nevada generated a buzz among some of the 25,000 attendees collecting autographs from porn stars posing in fishnet stockings and bustiers. (AP Photo/John Locher)

"In a brothel, you're talking about people coming in from outside," she said. "We have performers on a closed set who go through a testing protocol."

Duke said that since 2004, there have been no documented cases of HIV transmission during scenes between professional actors in the FSC database.

The two men involved in last year's case weren't in the FSC database, Duke said. Authorities have said it appeared likely one infected the other during an unprotected gay sex scene. Details haven't been made public.

Actress Ariana Marie, 21, said she trusts the results. She said she's been in scenes with and without condoms, and called it distracting to have her partner stop to take one off at the end.

"We get tested every 14 days," Marie said. "I trust my performer."

Prostitution is legal in rural Nevada counties but not in Las Vegas and Reno. Nevada health officials say a strict testing regimen prevents transmission of sexually transmitted diseases and has never resulted in a documented case of HIV transmission in a brothel.

If porn production is regulated under the same rules, condom use would be required for all sex acts, including oral sex. Adult film performers, like Nevada's licensed prostitutes, would be required to undergo weekly testing for the sexually transmitted diseases chlamydia and gonorrhea, and monthly testing for HIV and syphilis.

Nevada currently has no rules specifically covering pornography production. And no permit is needed to film on private property, a home or in a hotel room, according to the state film office.

That made Nevada attractive to West Coast adult film producers worried about losing fans like Tatka following the adoption in Los Angeles of strict rules requiring condom use in adult film sex scenes filmed there.

After voters in Los Angeles County approved the condom requirement in 2012, the number of permits for adult films in Los Angeles dropped dramatically, from 485 in 2012 to 40 in 2013.

Meanwhile, the number of general permits for all film productions in Clark County, including Las Vegas, jumped more than 50 percent, from 226 in 2012 to 343 in 2013.

Nevada Film Office analyst Kim Spurgeon in Las Vegas said officials don't tally the number of adult film productions by category. There were 400 film production permits issued in Clark County in 2014, she said.

Problems were inevitable, said Michael Weinstein, president of the AIDS Healthcare Foundation, a Los Angeles-based nonprofit that serves California and Nevada.

Although the foundation was a catalyst for passage of the Los Angeles law, Weinstein professed no desire to kill the adult film industry.

"We're not against porn," Weinstein said in a telephone interview. "We want it to be safer. We think porn sends the wrong message to young people that the only kind of sex that's hot is unsafe sex."

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Citation: Nevada considering strict condom regulation for porn films (2015, January 24) retrieved 28 April 2024 from

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