

**Response of Kyle Sampson to
Written Question of Senator Sam Brownback**

Pornography:

I am increasingly concerned about the pervasiveness of pornography and obscenity in our culture, and I appreciate the priority the Department of Justice has placed on prosecuting obscenity violations. In reviewing the email correspondence between you and various Department officials, I was particularly interested in an email you received from Brent Ward, head of the DOJ Obscenity Task Force, on September 20, 2006. The subject line of that email is "Obscenity Cases," and in the email Mr. Ward informs you that two U.S. Attorneys are "unwilling to take good cases." Those two U.S. Attorneys, according to the email, are Paul Charlton and Dan Bogden. With regard to Charlton, Ward says "this is urgent."

At his confirmation hearing in January 2005, the Attorney General pledged to me that he would make obscenity prosecutions a DOJ priority. If the Attorney General had U.S. Attorneys who were unwilling to prosecute these cases, I support his decision to find others who would.

Did you feel that replacing Paul Charlton and Dan Bogden would promote the Department's efforts to prosecute obscenity cases?

Answer:

I understand that issues and concerns had been raised about the willingness of the U.S. Attorneys in the District of Arizona and the District of Nevada to work with the Criminal Division's Obscenity Prosecution Task Force to investigate and prosecute obscenity in those districts. I believe that those issues and concerns factored in to the decision to ask those U.S. Attorneys to resign in December 2006. Although other issues and concerns also played a role, the collective judgment of the Department was, to the best of my recollection, that a change of U.S. Attorney in those districts would likely prove beneficial to the Department's efforts to place a higher priority on obscenity cases.