

September 8, 1982

Honorable City Council  
Council Chamber  
City Hall  
Sacramento, California 95814

RE: PORNOGRAPHY ON PAY T.V. IN SACRAMENTO

Honorable Members in Session:

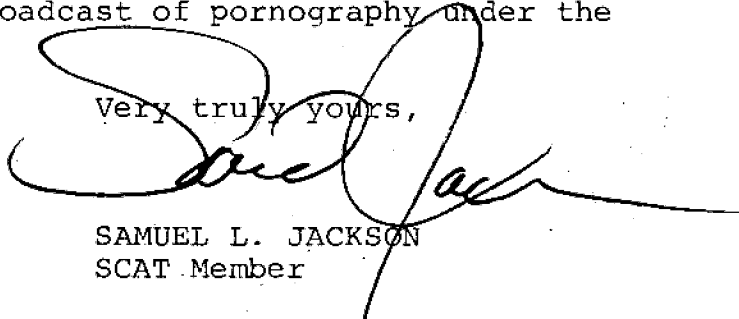
SUMMARY

The undersigned or another designated representative of Sacramento Citizens Against Trash hereby requests the opportunity to address the Council regarding the above-referenced subject. California Satellite Systems' conduct of engaging in misleading business tactics have resulted in the broadcast of unwanted pornography in thousands of homes in Sacramento.

PROPOSED ACTION

Sacramento Citizens Against Trash will ask the Council to pass a resolution condemning the broadcast of pornography under the present pay T.V. system.

Very truly yours,



SAMUEL L. JACKSON  
SCAT Member

FOR CITY COUNCIL INFORMATION:

Walter J. Slive  
CITY MANAGER

**FILED**  
By the City Council  
Office of the City Clerk  
Cont. to  
9-21-82  
SEP 18 1982

**APPROVED**  
BY THE CITY COUNCIL

SEP 21 1982

OFFICE OF THE  
CITY CLERK

82-665

**RESOLUTION NO. ~~6~~**

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

RESOLUTION OPPOSING MICRO-WAVE  
TRANSMISSION OF X-RATED MOVIES

WHEREAS, a local company doing business as California Satellite Systems, Inc., has been operating the only pay television service in the City of Sacramento; and,

WHEREAS, California Satellite Systems, Inc., contracted to provide services in the form of Home Box Office; and,

WHEREAS, Home Box Office provides a broad range of family entertainment with a commitment not to show X-rated films; and,

WHEREAS, a substantial number of Sacramento City residents subscribed to the aforementioned services; and,

WHEREAS, these households, in good faith, paid substantial installation fees plus a fixed monthly rate for receiving Home Box Office; and,

WHEREAS, California Satellite Systems, Inc., has provided Home Box Office programming for several years; and,

WHEREAS, California Satellite Systems, Inc., changed from Home Box Office entertainment to a new system called Movievision without the consent of their subscribers; and,

WHEREAS, Movievision programming is drastically different from Home Box Office programming; and,

WHEREAS, this Council is outraged at the conduct of California Satellite Systems, Inc., in this regard.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the members of the City Council of the City of Sacramento, a political subdivision of the County of Sacramento, State of California, that this Council joins with the Board of Supervisors of the County of Sacramento, and with the citizens of this community in expressing its condemnation of the change in programming without subscriber approval;

**APPROVED**  
BY THE CITY COUNCIL

SEP 21 1982

OFFICE OF THE  
CITY CLERK

BE IT FURTHER RESOLVED that this Council supports the efforts of this community in seeking the return of the programming which induced the community to subscribe, and implores California Satellite Systems to exercise responsible civic leadership in returning to the subscribers that programming for which they bargained;

AND BE IT FURTHER RESOLVED that the City Clerk is to transmit a copy of this resolution to the District Attorney of the County of Sacramento for review and appropriate action(s).

On a motion by City Councilmember Connelly, seconded by City Councilmember Serna, the foregoing Resolution was passed and adopted by the Council of the City of Sacramento, County of Sacramento, State of California, this 21st day of September, 1982, by the following vote, to wit:

AYES: Councilpersons Connelly, Fisher, Kastanis, Pope, Robie, Rudin, Serna, Isenberg

NOES: Councilperson Shore

ABSENT: None

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MAYOR

ATTEST:

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CITY CLERK

RESOLUTION NO. 80-1021

A RESOLUTION OPPOSING MICRO-WAVE TRANSMISSION OF X-RATED MOVIES

WHEREAS, a local company dba California Satellite Systems, Inc., has been operating the only pay TV service in Sacramento County; and

WHEREAS, California Satellite Systems, Inc., contracted to provide services in the form of Home Box Office; and

WHEREAS, Home Box Office provides a broad range of family entertainment with a commitment not to show X-rated films; and

WHEREAS, a substantial number of Sacramento County residents subscribed to the aforementioned services; and

WHEREAS, these households, in good faith, paid substantial installation fees plus a fixed monthly rate for receiving Home Box Office; and

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WHEREAS, California Satellite Systems, Inc., changed from Home Box Office entertainment to a new system called Movievision without the consent of their subscribers; and

WHEREAS, Movievision programming is drastically different from Home Box Office programming; and

WHEREAS, this Board is outraged at the conduct of California Satellite Systems, Inc., in this regard.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Sacramento, a political subdivision of the State of California, that this Board joins with the citizens of this community in expressing its condemnation of the change in programming without subscriber approval;

~~APPROVED~~  
~~BY THE CITY COUNCIL~~  
~~SEP 21 1982~~  
~~OFFICE OF THE~~  
~~CITY CLERK~~

FURTHER BE IT RESOLVED, that this Board supports the efforts of this community in seeking the return of the programming which induced the community to subscribe, and implores California Satellite Systems to exercise responsible civic leadership in returning to the subscribers the programming for which they bargained.

On a motion by Supervisor Bryan, seconded by Supervisor Sheedy, the foregoing Resolution was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, this 17th day of September, 1982, by the following vote, to-wit:

AYES: Supervisors Bryan, Collin, Sheedy, Smoley, Johnson

NOES: Supervisors, None

ABSENT: Supervisors, None

*C. John Johnson*

CHAIRMAN, Board of Supervisors  
Sacramento County, California

(SEAL)

In accordance with Section 26103 of the Government Code of the State of California, a copy of this document has been delivered to the Chairman of the Board of Supervisors, County of Sacramento, on

Attest: *Samuel A. Williamson*  
Clerk of the Board of Supervisors

SEP 16 1982

*Kathleen Rogers*  
Deputy Clerk, Board of Supervisors

**FILED**

SEP 16 1982

BOARD OF SUPERVISORS  
*Samuel A. Williamson*  
CLERK OF THE BOARD



# CITY OF SACRAMENTO

## OFFICE OF THE CITY CLERK

915 I STREET  
CITY HALL ROOM 203

SACRAMENTO, CALIFORNIA 95814  
TELEPHONE (916) 449-5426

LORRAINE MAGANA  
CITY CLERK

September 22, 1982

Herb Jackson  
District Attorney  
901 "G" Street  
Sacramento, CA 95814

RE: ALLEGED CONSUMER FRAUD BY CALIFORNIA SATELLITE  
SYSTEMS, INC.

Dear Mr. Jackson:

Attached hereto is a resolution of the Sacramento City Council condemning the action of California Satellite System's change in programming without the consent of its subscribers. By this resolution the Council requests that your consumer fraud division initiate an investigation to determine if California Satellite System has committed consumer fraud or other violations of the law for which you can prosecute. It is requested that you make your findings available to the Council and the public.

Very truly yours,

*Lorraine Magana*  
Lorraine Magana  
City Clerk

LM/mm/18  
Attachment

cc: City Attorney (Sam Jackson)

September 22, 1982

Mr. Herb Jackson  
District Attorney  
901 G Street  
Sacramento, California 95814

RE: ALLEGED CONSUMER FRAUD BY CALIFORNIA  
SATELLITE SYSTEMS

Dear Mr. Jackson:

Attached hereto is a resolution of the Sacramento City Council condemning the action of California Satellite System's change in programming without the consent of its subscribers. By this resolution the Council requests that your consumer fraud division initiate an investigation to determine if California Satellite System has committed consumer fraud or other violations of the law for which you can prosecute. ~~The City Clerk~~ requested that you make your findings available to the Council and the public.

Very truly yours,

CITY CLERK



# COUNTY OF SACRAMENTO

## OFFICE OF THE COUNTY COUNSEL

700 H Street, Suite 2650  
Sacramento, CA 95814  
Phone: (916) 440-5544

### Supervising Deputy County Counsel

Thomas A. Darling  
Robert L. Pfeines  
Ryan M. Polstra  
Clement J. Dougherty, Jr.  
Monte L. Fuller

### Deputy County Counsel

Melvyn W. Price  
Richard D. Mayer  
J. Steven Burris  
Lawrence A. Jones  
William H. Fowler  
Elaine P. DiPietro  
Frank M. Garcia  
Manuel E. Lopes  
Lilly C. Frawley  
Margaret L. Hagerty  
Nancy E. Fenton  
Anthony L. Wright  
Barry Steiner  
Joel K. Uher  
Kathryn A. Shurtleff  
Richard G. Lata

L. B. Elam  
County Counsel

Fred G. Williams  
Assistant County Counsel

September 17, 1982

The Honorable Herb Jackson  
District Attorney  
County of Sacramento  
901 G Street  
Sacramento, CA 95814

RE: California Satellite Systems, Inc.

Dear Mr. Jackson:

On September 16, 1982, SCAT made a presentation to the Board of Supervisors concerning microwave television programming within the Sacramento Community presented by California Satellite Systems, Inc. SCAT is an organization of subscribers who are protesting the content of the television programming and business practices of California Satellite. The protest divides into two fairly separate and distinct complaints.

The first, is that California Satellite has recently commenced the broadcast of programming of a fundamentally indecent nature, in potential violation of California obscenity laws. In this connection, SCAT presented to the Board a video tape of a recent film presentation broadcast by California Satellite -- allegedly depicting sexual exploitation.

The second complaint is that citizens have been fraudulently induced to subscribe to the service. According to SCAT, California Satellite, who had previously contracted for the provision of Home Box Office programming, recently changed suppliers. A marketing program was initiated under which monthly subscription rates were substantially increased, and subscribers were offered service without charges associated with installation of antenna in consideration for pre-payment of a six-month subscription fee.

Reception has fallen to marginal quality, overall programming is inferior to that allegedly represented, and so-called "hard-R"



The Honorable Herb Jackson

-2-

September 17, 1982

movies are being offered at inappropriate times. Apparently, California Satellite is refusing to allow rescission of the subscription contracts and return of the prepaid fees to consumers who desire to cancel those subscriptions.

The Board of Supervisors is asking that your Office analyze both the question of whether criminal prosecutions might be instituted for violation of obscenity laws, and/or civil or criminal proceedings might be initiated upon consumer fraud theories. Persons who you may desire to contact concerning these matters are:

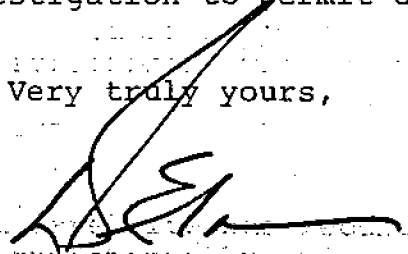
Kevin Finn  
SCAT  
6244 Greenback Lane  
Citrus Heights, CA 95610 (722-3466)

Jessie Morris, Jr.  
Attorney for SCAT  
4130 Broadway  
Sacramento, CA 95817 (452-2811)

Mike Ryan  
6444 Villa Drive  
Sacramento, CA 95842 (448-9421)

The foregoing constitutes the limits of the information which has been made available to the County. I trust that it will provide sufficient avenues of investigation to permit determinations requesting the questions posed.

Very truly yours,



The first, is that California...  
the broadcast of programming of a fundamentally indecent nature...  
is potential violation of California...  
connection, SCAT presented to the County...  
LBE:ph

Encl: Video Tape  
cc: Members, Board of Supervisors

Bill Freeman

# COUNTY OF SACRAMENTO

## Inter-Department Correspondence

Date September 17, 1982

**RECEIVED**

SEP 20 1982

**COUNTY COUNSEL**

To : DISTRICT ATTORNEY/  
COUNTY COUNSEL

From : *BW*  
BEV WILLIAMS, CLERK  
BOARD OF SUPERVISORS

Subject: ITEM 14, SEPTEMBER 16, 1982, AGENDA -  
Representative from "FIGHT CAL SAT" - Relative to Conversion of HBO to  
Movievision and the Resultant Community Impact.

The Board of Supervisors, at a regular meeting held Thursday, September 16, 1982, adopted Resolution No. 82-1021 opposing microwave transmission of X-rated movies. The Board referred the matter to the District Attorney to determine whether the film constitutes the showing of pornography and to investigate for consumer fraud.

The Board directed County Counsel to look into the possibility of business license revocation proceedings.

BW:kr

cc: County Executive  
Bill Freeman

RESOLUTION NO. 80-1021

A RESOLUTION OPPOSING MICRO-WAVE TRANSMISSION OF X-RATED MOVIES

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WHEREAS, California Satellite Systems, Inc., changed from Home Box Office entertainment to a new system called Movievision without the consent of their subscribers; and

WHEREAS, Movievision programming is drastically different from Home Box Office programming; and

WHEREAS, this Board is outraged at the conduct of California Satellite Systems, Inc., in this regard.

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FURTHER BE IT RESOLVED, that this Board supports the efforts of this community in seeking the return of the programming which induced the community to subscribe, and implores California Satellite Systems to exercise responsible civic leadership in returning to the subscribers the programming for which they bargained.

On a motion by Supervisor Bryan, seconded by Supervisor Sheedy, the foregoing Resolution was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, this 17th day of September, 1982, by the following vote, to-wit:

- AYES: Supervisors Bryan, Collin, Sheedy, Smoley, Johnson
- NOES: Supervisors, None
- ABSENT: Supervisors, None

*C. Tobias Johnson*

CHAIRMAN, Board of Supervisors  
Sacramento County, California

(SEAL)

Office entertainment to a new system called Naviewi

consent of their subscribers, and

Attest: *Janice A. Williams*

Clerk of the Board of Supervisors

In accordance with Section 26183 of the Government Code of the State of California, a copy of this document has been delivered to the Chairman of the Board of Supervisors, County of Sacramento, on

SEP 16 1982

*Janice A. Williams*  
Deputy Clerk, Board of Supervisors

**FILED**

SEP 16 1982

BOARD OF SUPERVISORS

*Janice A. Williams*  
CLERK OF THE BOARD