

The Cairo government, meanwhile, was cracking down on Palestinians here in retaliation for their bitter "war"

likely the government would close the Palestine Liberation Organization's office in Cairo. Ellits and Sadat met after it

But diplomatic sources expressed the view that Sadat's initiative in going to Israel had

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hold the president's prog 11-23-77 Adult Bookstore Judge Sticks To Order

Obscenity Standards May Change, But....

By PEGGY RUDNICKI
Sentinel Staff Writer

A parade of "raunchy" sex magazines failed to convince a superior court judge today to grant adult bookstore owner Earl Stanley Kuhns an early release from jail on his 6-year-old obscenity conviction.

Superior Court Judge Harry Brauer ordered Kuhns to finish

out his nine-month term despite claims by Attorney Peter Chang that obscenity standards have changed since 1971 when Kuhns was convicted.

Chang hauled out the sex magazines to show Brauer that "disgusting and raunchy" publications are now available "in every 7-11 and liquor store in town."

But Brauer said even if standards had changed since 1971, to release Kuhns from jail would be a "gross miscarriage of justice."

Kuhns was convicted in 1971 of selling obscene material from his downtown bookstore. Throughout the years he has appealed his conviction to state appellate courts and the U.S. Supreme Court.

Today, Brauer blasted Kuhns for the delay in carrying out his sentence, saying the only reason the bookstore owner was allowed to avoid sentence for so long was "money. If he did not have money, he would have served his sentence like anyone else," Brauer said.

Kuhns, who said he owned eight bookstores and a Rolls Royce, testified he spent in excess of \$20,000 in lawyers fees to fight the conviction.

He admitted under questioning from Brauer that additional money had been supplied for his

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fight by national distributors of the books.

A visibly angry Brauer said that for Kuhns to return six years later and ask for an early release date because of a change in obscenity standards was "bootstrapping."

He also said the fact that Kuhns avoided his sentence for six years was "an incredible commentary on the loopholes in our administration of justice."

Chang, in his arguments, attempted to show Brauer that standards have changed so much that Kuhns would not be convicted now if brought to trial. He pointed out that Kuhns has not been arrested for his operation of eight other bookstores in the Bay Area and that the county has even recognized those types of operations by setting up a zoning ordinance for them.

Picking up the three books which were declared obscene by a jury and resulted in Kuhns' conviction, Chang claimed worse material was now available in stores all over town.

He pulled four magazines out of his briefcase and said "I purchased these across the street from the courthouse in a liquor store to present to you because they are disgusting and raunchy — much more offensive than what Mr. Kuhns was convicted for. We've gone an awful long way since 1971," said Chang.

But Brauer disagreed, saying that Kuhns' disputed books showed bestiality and "the worst forms of sadism" and were "of a different order" than the magazines.

Kuhns sat quietly during the hearing and testified the main reason he wished to be released early was because his wife was ill. Kuhns has served 75 days of his sentence and is expected to be released in February.

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