

As a public access channel, Access San Francisco has been advised by legal counsel that it may be prevented by law from exercising censorship of constitutionally protected first amendment free speech. However the courts have determined, in cases involving controversial programming, that while speech cannot be banned outright (censored), certain forms of speech sometimes referred to as “indecent” can and should be restricted to late-night hours (time-shifted) where children are less likely to find content not intended for or suited for children. In accordance with these considerations, the SFCTC has established the following programming timeslot categories:

any time of day or night

Non-Adult: Programming intended for all audiences

This category is similar to what viewers are generally accustomed to seeing in MPAA* (Motion Picture Association of America) G, PG, and PG-13 rated material, or on network broadcast television.

10pm -- 4am

Mild Adult: Programming intended for mature audiences only

This category of programming intended for adult audiences may include infrequent profanity, mild violence, and brief frontal nudity of a non-sexual or non-erotic nature. This category is similar to what viewers are generally accustomed to seeing in stronger MPAA* PG-13 rated material, and some mild R rated material, or on some network broadcast and cablecast television (TV-14 or TV-MA) after 10pm.

1am -- 4am

Strong Adult: Programming intended for mature audiences only that may include constitutionally-protected “indecent” material

This category includes any uses or depictions of violence, profanity, or nudity that is persistent or otherwise goes beyond brief or infrequent uses. This category is similar to what viewers are generally accustomed to seeing in stronger MPAA* R, NC-17 and X rated material, or in some cable TV pay-channels or pay-per-view channels. Please note: the courts have determined that material that is so-called “XXX” or “hardcore” pornography is legally obscene and is not permitted to be cablecast on public access. At no times may such constitutionally unprotected material be cablecast on the channel. Producers of such material may be subject to prosecution.

Producers submitting programming for cablecast must self-identify the content of their programs and choose timeslots appropriate for their content. Series producers must choose the category appropriate for the strongest content in any episode of their series. Producers purposefully misrepresenting the content of their programs and/or scheduling at inappropriate times are subject to a timeslot move, suspension, or other action.

* All references to MPAA ratings are intended as a guideline only. Additional information about MPAA and television ratings can be found at the MPAA website (www.mpaa.org).

