



Casualty of Porn

Is Chris Wilson facing jail over amateur smut or dead Iraqis?

By **DAVID KUSHNER**

The defendant: victim or villain?

Not long ago, Chris Wilson was just another anonymous geek making a modest living off amateur porn. Today he's the most notorious man online.

The twenty-eight-year-old founder of nowthatsfuckedup.com, a site where guys swap sexually explicit shots of their wives and girlfriends, was arrested in October at his Lakeland, Florida, home -- a raid in which Wilson was cuffed and his computer seized. Now he's out on bail and possibly facing life in prison after being hit with one of the stiffest obscenity charges in the history of the Net. But there's burgeoning doubt over which dirty pictures really landed him behind bars: the site's quotidian porn or its hundreds of graphic images, allegedly uploaded by U.S. soldiers, of dead Iraqis.

There's little question that the site is disturbing. Polk County Sheriff Grady Judd calls it "so perverse and outrageous and unconscionable, I believe it would have shocked the conscience of the most liberal people in the United States." But who really engineered the arrest: local authorities or those in the highest reaches of government?

To many, this case, which some liken to 2003's "flag-draped coffin" controversy, raises serious questions about the public's perception of war and the future of free speech on the Internet. "It creates the possibility for censorship . . . based on the standards of the least tolerant community," says Kurt Opsahl of the Electronic Frontier Foundation, a nonprofit digital-rights group.

For Wilson, the saga started with credit-card problems. After launching the site, he began getting e-mails from soldiers who couldn't join because of bank-verification issues. So Wilson told them that if they could provide photographic proof that they were in Iraq, he'd let them on for free.

At first the photos he received were benign, such as soldiers posing by their tanks and

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barracks. But then came the gore. One picture shows a severed head floating in a bowl of blood. Another, a dismembered arm. A particularly gruesome photo shows a child with bloody pulp where his face used to be.

Though Wilson says he was shocked when he first saw the photos, he empathized with the soldiers' desire to show the realities of service. Rather than censoring the images, he created a separate forum for them, quoting a line from *Life*, when the magazine published war-dead photos during the Spanish Civil War: "Dead men have indeed died in vain if live men refuse to look at them."

Wilson never *requested* photos of the dead, but news of the site soon broke with the "bodies-for-porn" sound bite. Likely fearing another Abu Ghraib, the Army launched an inquiry into whether the images constituted a felony. But the photos couldn't be verified, and Wilson fell outside military jurisdiction. Though the postings from soldiers could be a violation, says Army spokesman Paul Boyce, "we can't enforce the Uniform Code of Military Justice on civilians." The military inquiry was done. But then the cops showed up.

Polk County has a history of being tough on porn, and local officials insist the pictures of war dead were not the reason for the arrest. "Our charges were not related to the notoriety brought to that Web site" by the war-dead photos, says Chip Thullberry of the local state attorney's office. But both Thullberry and Judd say that information from Wilson's arrest has been shared with the military. Given that the government took his computer, it could now identify -- and prosecute -- soldiers who e-mailed photos to the site. Boyce, however, denies knowing of a military connection to the case. "I'm not aware of any communications from [the prosecution]," he says.

Given the enormity and unique nature of the charges against Wilson (previous obscenity cases against porn masters have been ruled unconstitutional or dismissed), his attorney Lawrence Walters finds the dissociation hard to believe. "There may be a political undercurrent here," he says. "To what extent was this mandated by the military using the local state attorney as a pawn?"

He's not the only one raising this question. When news of the photos first broke, Arsalan Iftikhar of the Council on American-Islamic Relations sent a letter to Donald Rumsfeld demanding an investigation. Iftikhar now believes Wilson's arrest was a "politically motivated" solution. "It wouldn't surprise me," he says, "if the charges were there to deflect from the issue at hand: the violence suffered by the Iraqi people."

An anonymous source, claiming Pentagon access, went further: "Once the deputy chief of staff got word, a call was made to the Florida prosecutor and the governor, who of course is related to the president. A day later, [Wilson was] arrested."

Regardless of who was behind the arrest, a conviction would have a chilling effect. Obscenity, particularly online, is difficult to prove because it relies on the slippery criteria of community standards.

Wilson's site, which runs on computers in Europe with content from around the world, exists in the vast online community. If his case goes to trial, a jury of Polk County spinsters could effectively regulate content for the entire planet.

As Wilson awaits the outcome, the site is still up and running. A Freechris.org movement has launched in his support. And the photos of the war dead keep coming.

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