

SCALIA, J., concurring

SUPREME COURT OF THE UNITED STATES

No. 00–799

CITY OF LOS ANGELES, PETITIONER *v.*
ALAMEDA BOOKS, INC., ET AL.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE NINTH CIRCUIT

[May 13, 2002]

JUSTICE SCALIA, concurring.

I join the plurality opinion because I think it represents a correct application of our jurisprudence concerning regulation of the “secondary effects” of pornographic speech. As I have said elsewhere, however, in a case such as this our First Amendment traditions make “secondary effects” analysis quite unnecessary. The Constitution does not prevent those communities that wish to do so from regulating, or indeed entirely suppressing, the business of pandering sex. See, *e.g.*, *Erie v. Pap’s A. M.*, 529 U. S. 277, 310 (2000) (SCALIA, J., concurring in judgment); *FW/PBS, Inc. v. Dallas*, 493 U. S. 215, 256–261 (1990) (SCALIA, J., concurring in part and dissenting in part).