

My name is Montana Ackman, I have been a proud citizen of North Dakota for all of my teenage and adult life, and I am writing to you today to urge you to **VOTE 'DO NOT PASS'** on House Bill No. 1205. This bill, if enacted, would be incredibly harmful to the God-given and US Constitutionally protected rights of the citizens of North Dakota to raise and parent their children as they see fit and opens this assembly up to a variety of negative legal actions for its violation of the 1st Amendment as it relates to intellectual freedom, Freedom to Read, and Freedom to View. It also opens the door for litigation for violation of civil rights of marginalized groups and from the groups who will suffer from taxation without representation should this bill pass.

In a free society, it is the right and responsibility of its **citizens** not its **governing body** to use their good judgement in deciding what they deem to be acceptable content to consume.

As this bill relates specifically to minors and the places that they frequent, I would remind this Assembly that it is the job of a parent/legal guardian to filter content for their wards until the minors are of an age where they can be taught to monitor and filter the content that they choose to consume for themselves.

Additionally, with the exception of establishments that cater specifically to adults over the age of 21, there is no feasible place in society wherein minors would not be found. The way this bill has been written any doctor's office, dentist, motor vehicle repair shop, or other business institution that would have or display items such as *1984* by George Orwell, *People Magazine*, or even something as mundane as the *New York Times* could be found to be in violation of this bill and subject to a class B misdemeanor.

Can you see how this approach is unnecessarily harsh and wrong and places responsibility for a minor's safety into the wrong hands?

Until a minor is of the majority and can make decisions for themselves, it should not be legislators and strangers who are charged with the protection of a child's innocence and (though I am loath to put it this way) maintaining their purity of thought. It should be the job of the parents and guardians who are entrusted with that minor's care to protect their innocence and educate them of the morals and values that lead to good judgement.

Additionally, public libraries that would be forced to comply with this bill are funded by both state and local tax dollars. This means that all citizens of the state of North Dakota contribute to the total amount of money that is used to purchase library books and materials. Many of the books and other materials that you would be forcing libraries to remove would be books that many of the taxpayers of North Dakota would NOT wish to have removed. By this bill's definition books that would need to be removed would include award winning classics like George Orwell's *1984*, Judy Bloom's *Are you there, God? It's me, Margaret*, Christian romance, as well as most other critically acclaimed and award-winning books, audiobooks, magazine articles, newspaper articles, and movies and TV shows.

Additionally, the materials that you would be forcing libraries to remove from their collections disproportionately feature marginalized communities and people of color. This would include the stories of children of undocumented immigrants, stories of those who have experienced physical abuse in the home, stories of the survivors of sexual assault, stories of friends dealing with the death of a friend, classic works of literature, and so much more.

By choosing to remove these experiences from the narrative represented in the public libraries (that are funded by public tax dollars), you are telling the community members who have lived through and/or relate to the realities represented in the materials that would be removed that their experiences, culture, heritage, etc. is less worthy and that the rest of society must be protected from them but that their money is still good enough to line our government's pockets.

This flawed line of thinking not only puts some community members on a higher pedestal than others in that the library wants and needs that certain community members have will be funded and supported by all of our hardworking community members, but it also makes clear that the library wants and needs of other members of the community are subservient to those who are having their wants and needs met in that their tax dollars will still be taken and used, but their wants and needs will not be met or represented.

Can you see how this will not only create a division within our beloved communities but will also open this assembly to litigative action from the community members who are not properly being represented in our public libraries?

Please know that I understand the urge to protect minors who are not yet able to protect themselves; however, I would point out again that it is not the job of legislators and strangers to protect our state's citizens who are minors. It is the job of the parents and legal guardians of our state's minors to guide their children and safeguard their hearts and minds. If you don't want your minor to be consuming the types of materials outlined in this bill, then parent them! Have discussions about what materials are and are not acceptable in your household and why.

I was raised by parents who adhere to a strict moral code, my parents took the time to educate me on the morals and values that they wanted me to internalize within myself and apply to my life. To this day, I use the good judgement that they taught me to have whenever I am evaluating media and information that I wish to consume. An example of this is that, when I was growing up, my parents did not want me or my siblings to read Harry Potter as they were morally opposed to the idea of witches, wizards, ghosts, etc. My parents explained why we weren't allowed to read the books and while I could have still checked out the books from our public library and read them; I did not. In fact, I still have not read them to this day because I knew what was acceptable behavior in my parent's house and what was not because my parents took responsibility for my siblings and I, educated us on appropriate evaluation processes for viewing materials, and held us accountable for the decisions we did make. My parents prioritized educating their children on logical thought processes and conscious behaviors rather than simply censoring the materials available to us as they knew that we would one day be adults who would need to know how to reason through these decisions for ourselves.

What is and is not acceptable varies from person to person and family to family. What is acceptable to some is not acceptable to all. Every member of this state has their own limits and boundaries in this regard. Not only would enforcing this bill take away the Constitutionally protected right of freedom of expression which encompasses intellectual freedom, Freedom to Read, and Freedom to View, but it would also remove the right of each community member and parent to choose for themselves what is and is not acceptable within their home and family.

As for the legal action that this assembly is opening itself up to, I have attached the Merriam Webster Dictionary definition of **intellectual freedom** as well as **applied interpretations of the 1st Amendment** titled the Freedom to View Statement and the Freedom to Read Statement.

In light of this information, I would again urge you to **VOTE 'DO NOT PASS' on House Bill No. 1205**. House Bill No. 1205 goes against the freedoms protected in the 1st Amendment, places the responsibility for the protection of minors in the hands of strangers and legislators rather than in the hands that can properly protect them – those of parents and guardians, and the content that you would have your citizens heavily punished for displaying renting, and selling – while clearly defined- will be of varying levels of offence to different people. Additionally, the enforcing of this bill will cause certain members of society to be subjected to equal taxation with unequal representation.

I would urge you to consider all of this and count the cost when it comes time to vote!

Thank you for your time and consideration of this matter.

Respectfully,

Montana Ackman

Williston, ND