

Brian Kopp
HB1205 – 3-13-23 Testimony - Timeline

10-4-22 Dickinson Press Article is published: “Dickinson Public Library to offer controversial teen sex book”

<https://www.thedickinsonpress.com/news/dickinson-public-library-to-offer-controversial-teen-sex-book>

In this article we have the start of the commentary on images that depict anything sexual in nature as pornography. This will be a theme and the lie that starts the uproar over a sex education book that leads to the book banning bill we are discussing.

Excerpt from the article:

“The book includes an illustration in the pornography chapter of “Let’s talk about it,” on page 165, ...”

This lie started what became this bill.

10-7-22 and onward. Many Facebook/Social Media/Press discussions/articles on censorship vs protection vs parental rights. **Many are good information, but those supporting the view of anything they do not like is pornography or obscene becomes commonplace.** One of those people is the former representative Luke Simons who also accuses me committing a crime.



Author

Luke Simons for North Dakota

[Brian Kopp](#)

Yes I’m very much deflecting, I believe showing pornography to children is wrong!🙄

1d Like Reply



Brian Kopp

[Luke Simons for North Dakota](#) You

worry education will show them something you don't want them to understand. Denial of what they see and hear in school doesn't change what they see and hear in school.

You are also welcome to parent and not allow your children in the library if you don't want them to have access to the book or any book for that matter.

1d Like Reply



Luke Simons for North Dakota

Brian Kopp

It's public taxpayers money that pays for that library, to put child pornography in a facility that is tax paid for is not good policy.

Now Mr. Kopp [REDACTED] if you would like to open up a private library and offer children's pornography that's your business.

The fact is is you're promoting child pornography. 🤔🤔🤔🤔🤔🤔 [REDACTED]

22h Like Reply



Brian Kopp

Luke Simons for North Dakota you just called it child pornography.

Another thing libraries have are dictionaries. 1. Nothing in the books depicts those under 18 in any sexual way.

<https://www.merriam-webster.com/dictionary/pornography>

Definition of pornography

1: the depiction of erotic behavior (as in pictures or writing) intended to cause sexual excitement

10-11-22 Dickinson Area Public Library Board Meeting, Dickinson Area Public Library

50 Plus members of the community attend the board meeting both in support and opposition of the Book "Let's Talk About It - teen's guide to sex, relationships and being a human" written by Erika Moen and Matthew Nolan. The majority are in opposition and the meeting is not orderly once public comment is allowed. There is much yelling and talking over each other with many contradictory comments about parental rights and freedoms. Folks are for the first amendment but claim we need to protect the innocence of children, then the same folks reject that their parental responsibility for their minor children allows for protection of their

perception or belief of innocence. **There is also the claim this is porn being given to kids, even though it's in the young adult section and does not contain pornography**

Obscenity is defined and the majority of the group in attendance has decided the book and others are obscene and contain pornography. However, these terms have meanings in legal terms as follows:

The Miller Test is the primary legal test for determining whether expression constitutes obscenity. It is named after the U.S. Supreme Court's decision in Miller v. California (1973). <https://www.mtsu.edu/first-amendment/article/1585/miller-test>

In his majority opinion, Chief Justice Warren Burger outlined what he called "guidelines" for jurors in obscenity cases. These guidelines are the three prongs of the Miller test. They are:

- (1) whether the average person applying contemporary community standards would find the work, taken as a whole, appeals to the prurient interest;
- (2) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and
- (3) whether the work, taken as a whole, lacks serious literary, artistic, political or scientific value.

In Pope v. Illinois (1987), the Court held that the trier of fact should apply a national standard to the third prong.

One man even hands out printed copies of pages of the book in an attempt to shock and force agreement with the groups statements. Citizens are allowed to bring up issues with a book and follow the book reconsideration form to bring attention to an issue they have and to have it addressed by the library director and after the director responds it can be escalated to the library board if the submitter so chooses.

11-2-22 Southwest Patriot's Meeting – St. Anthony Club Dickinson ND

Available on Facebook (recording): <https://www.facebook.com/SWNDPatriotsCoalition>

I attended the meeting where the book "Let's Talk about It" and others were discussed and a slide show displayed. There was copious amounts of misinformation. And it was operated more like a pep rally than an in good faith informational event.

Suicide rates are tied to groups, not to the cause of suicide or lack of support by one speaker. One of the lies about suicide rates implied that books like this cause suicides when studies show people who feel supported and have resources (mental health, abuse/harassment, education (like the library provides)) have a lower rate of suicide.

"Research is helping improve our ability to identify people at risk for suicide and to develop and improve effective treatments. NIMH researchers continue to study suicide and how to best implement suicide prevention and intervention programs in different settings, including health care, community, school, and the justice system."

<https://www.nimh.nih.gov/health/topics/suicide-prevention>

There are comments about the percentage of a county (Stark) that is Christian, most people claim the book is porn, others speak about the need to protect children, but never suggest how children are negatively impacted by the books. Again, against all research showing that support reduces abuse and harm and religion isn't allowed to dictate what others read in the library since we have the first Amendment for both freedom of speech and freedom of religion.

One speaker who goes on for a much longer duration of time than most speakers discusses third hand stories about the abuse happening due to the type of social services being provided by the county/state. Claiming to know from people who work as social workers telling them. If this were true then everyone in the stories could be complicit since these employees would be mandatory reporters of child abuse and neglect.

Comments were made in regard to other libraries keeping controversial books behind lock and key/inaccessible to the general public. This was researched by the state library and found to be false. The Bismarck Public Library was cited as one of those locations and staff at the Bismarck Public library confirmed they do not have any books that are separated from the public due to controversial content.

The commentary about protecting kids and young adults goes against all research. If the goal is to protect people of all ages then access to accurate information has been proven to lower suicide, sexual violence, dating violence, harassment and abuse. However, this bill would actually do the opposite as it would remove educational opportunities from our state.
<https://info.primarycare.hms.harvard.edu/review/sexual-education-violence-prevention>

Local legislators Lefor and Steiner speak at this meeting. They vow to protect children, again not mentioning how or what harm they are experiencing, nor did anyone at the meeting ever provide any actual harm or potential harm to children from the books in the library

St. Anthony Club was told this group would be a small group of people gathering to discuss current local issues. The group was too political for the setting, they were asked to not use a microphone after (St. Anthony) member complaints of them being too loud, but used it at this meeting anyway. The coordinator for the Patriots was informed over the phone of no longer being able to hold their meetings at the St. Anthony Club, the staff apologized for the inconvenience, and then the staff explained that he "flipped" and told staff "that they needed to learn to do their job better and be more professional." He eventually had to be hung up on as he started questioning their motives and asking if they sided with supporters of the book, but with different language. This information came from talking with the staff at the St. Anthony Club.

11-8-22 Dickinson Are Public Library Board Meeting, Dickinson City Hall

This meeting should be available by request of Dickinson City Hall as it was recorded.

This meeting was held for public testimony on the book "Let's Talk About It". Testimony was heard from both those who want the book removed or restricted. The testimony

in favor of the book being available came from a teen who commented on information in the book being relevant to her age group and valuable information, social workers with masters degrees, emotional testimony from one woman who wished she would have had the information in this book available to her when she was a teen as maybe some of the pain in her life could have been avoided, and the general consensus that access to accurate information is a benefit to the community and if someone doesn't want to read a book or have their kids read a specific book that's fine, as parents have the ability and obligation to parent and adults have no obligation to read any book in the library.

The opposition had a few calm and coherent testimonies centering on their belief that these types of books shouldn't be in the library as kids might see them or that they simply didn't think the information was of value to the community. **There was much yelling and many accusations of having pornography in the library**, outbursts that the librarian should be fired for what she is doing, and an overall tense situation which I was glad we had law enforcement present for. Everyone was given 3 minutes to speak and the same number of people spoke for each side of the argument.

When one person asks the audience, from the presentation mic, who has read the book? The majority of the folks who are in favor of book in question raise their hands. Two or three people in the room in opposition to the book raise their hand. So the book is being opposed by a vast majority of people who haven't read the book.

1-6-23 Scheduled meeting of the Southwest Patriots, 1-13-23 Cancelled after flier is published

◀ Southwest Patriots Coali... 🗨 🔍

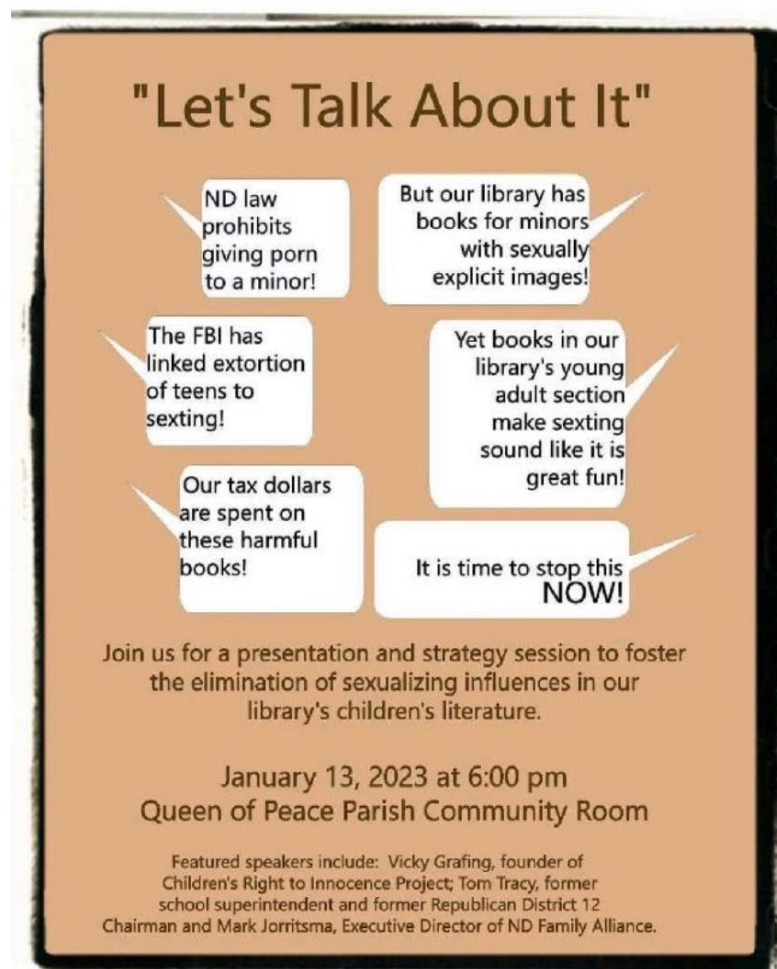
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There will be a seminar "Let's Talk About It" on the Dickinson Library's book selections on Jan 13th at 6:00pm at the Queen of Peace Parish Community Room.



Again, the flier states there is pornography.

The group did not tell Queen of Peace Church that they would be having speakers and that it would be a political event. They described it as a small group gathering to discuss the book. The event was moved to a local hotel after this.

| | |
|------------------------------------------|-----|
| The book by chapter: | |
| What is ... this book? | 1 |
| What is ... first? | 9 |
| What is ... a relationship? | 25 |
| What are ... gender and sexuality? | 41 |
| What is ... body image? | 57 |
| What is ... your body? | 71 |
| Where do you ... start? | 93 |
| What is ... masturbation? | 107 |
| What is ... safe sex? | 125 |
| What is ... climax? | 137 |
| What is ... sexting? | 147 |
| What are ... kinks, fantasies, and porn? | 155 |
| What is ... aftercare? | 169 |
| Where are ... friends in all this? | 177 |
| What is ... jealousy? | 185 |
| What is ... rejection? | 197 |
| What is ... next? | 219 |
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When looking at the above flier and then the chapters of the book it becomes clear that misinformation is being used. I've read the book and it focuses on facts, current issues with relationships, of all kinds, and sure, there are parts that don't align with my faith, but I'm not obligated to go out and do anything I learned because I read it. I have the knowledge of my own morals and also can be a better person as I can empathize with situations in the book that I had never been presented with before.

You might also see that these topics are the same topics you would expect to find in sex education class in high school. Which makes sense as this book is targeted for teens. These are all items a teenager is likely to deal with and as I discussed prior, knowledge is power, and that knowledge prevents abuse. There is information in the sexting chapter about how it is illegal for minors to take and send nude images of themselves. There are multiple pages that discuss what different types of abuse are and some information on how to know if you are abused or if you might in fact be an abuser and not even know it. Multiple pages of resources and places to get help are listed. Kids and young adults who have the knowledge of their bodies and are taught what is and isn't appropriate along with how to stand up for themselves by saying no, and how to get help if they are being abused.

What makes this so difficult to understand is how a small group of people, motivated by a press article that incorrectly calls a book pornography, escalates to local legislators writing a bill to ban books without the small group nor the legislators reading the books or coming to the library board meetings to learn or discuss what is happening. It's also odd that I went to the same high school as the children of Representative Lefor and Representative Steiner and I do not recall any backlash that our class materials were porn. Having had a comprehensive sex education that was similar, though less detailed and useful than the book in question, it doesn't seem to be about protection of children, but rather misinformation snowballing all the way to my

recounting my experiences over the last five plus months to simply state facts and that the definitions of words matter while being accused of crimes and being yelled at in public meetings.

There is already a procedure for materials that a patron may not like. I have attached it below. In short this bill would harm public education, reduce access to accurate and scientifically backed research with vast historical data backing it up, violate free speech, step on the rights of parents to have access to accurate sex education information if they so choose, and it would do exactly what the proponents claim the book does, prevent access to information that could reduce harm to young adults by keeping them ignorant and more susceptible to sexual violence, abuse, and depression.

Dickinson Area Public Library:

RECONSIDERATION OF LIBRARY MATERIALS POLICY

The choice of library materials by a library user is an individual matter. While a person may reject certain materials for themselves or their dependents, they may not restrict access to those materials by other library users.

The Dickinson Area Public Library Board of Directors recognizes that some materials may be controversial or offensive to some library users. The Board recognizes the importance of providing a method whereby opinions and/or complaints regarding materials selection can be voiced. The procedures enumerated below have been developed to ensure that requests of those who disagree with materials represented in the collection or about materials not represented in the collection may be handled in a consistent manner.

Individuals living in the library's service area may request a selection decision be reconsidered by submitting a written Request for Reconsideration of Material form. This form is available at the Circulation Desk and will be added to the library's website. Upon completion, the form may be mailed or delivered electronically to the Library Director.

Upon receipt of the signed form the Library Director will:

1. Review the material in question as soon as possible after the material is returned to the library.
2. Examine the material in question, the issues raised, and the circumstances involved.
3. Consult with the library staff including the librarian who made the selection and the Assistant Director.
4. Make a decision to remove from the collections, reclassify to a different collection, or retain in the original collection the material in question.
5. Respond in writing to the complainant within fifteen business days of review.
6. Provide the complainant with a copy of this policy and inform the individual of the availability of an appeal to the Library Board.

Should the complainant feel that the decision of the Director is not supported by the policy, the complainant may appeal to the Library Board of directors by notifying the Library Director in writing. The Library Director shall include the complaint on the agenda of the next Library Board meeting. The Library Board will reconsider the decision based on whether it conforms to the Materials Selection Policy. The board may, at its discretion, appoint a committee or independent advisory board to review the material and the complaint and make a recommendation to the board. The decision of the Library Board will be final and will remain in effect for three years.

During the review process, the library will take appropriate action to ensure that the material continues to be available.