

**Tom J. Tracy**

**818 17<sup>th</sup> St. NE  
Jamestown, ND 58401**

**Cell: 701.320.9817  
Email: tjtracy@daktel.com**

---

---

**To: Members of the Senate Judiciary Committee**

**Date: FEB 14th 2023**

**RE: TESTIMONY CONCERNING SENATE BILL 2360 at 2;  
45 pm on Feb 14, 2023**

**Thank you for the opportunity to provide testimony on this very important bill.**

**The bill before you today was written because of the contents of a book entitled "Let's Talk About It". This book was discovered in the Barns County Library this past fall. The book was made available to 12 year old children.**

**I have made available to the Senate Judiciary Committee 3 copies of this book. House Majority Leader Mike Lefor and Senate Majority leader Dave Hogue also have copies of the book.**

**This book, according to the ND Century Code laws concerning obscenity and pornography is obscene.**

**OF ALL THE TESTIMONY I HAVE HEARD INCLUDING AT A MEETING IN VALLEY CITY WHERE 10 PEOPLE CAME FORWARD IN FAVOR OF PROVIDING 12 YEAR OLDS THE ABILITY TO CHECK OUT THIS BOOK...AND TESTIMONY DURING THE HOUSE JUDICIALRY COMMITTEE ON JANUARY 17:**

**No one who testified attempted any argument that the book was not obscene.**

**The current law allows for a North Dakota public library to have obscene materials in its library. This is one of several exceptions in the current law. Senate bill 2360 would eliminate those exceptions that allow for tax payer funded libraries in North Dakota to have obscene materials and would provide a penalty if libraries did not comply with the law.**

**It may be interesting to note that during the last interim session of the ND Legislature a bill was passed overwhelming that would limit the teaching of Critical Race Theory. There was no penalty attached to the bill. In many school districts the bill was ignored and CRT was taught in defiance of the law.**

**Before deciding on whether or not the Senate Judiciary Committee should pass this bill I would urge the Committee members to do two things.**

**Take a look at the contents of the book especially the very explicit cartoons and drawings of young people engaged in a variety of sex acts and other situations that are clearly in violation of the ND Century Code Obscenity laws.**

**Read the ND Century Code Laws on Obscenity.**

**The people who will show up for the hearing on Feb 14 who are in favor of making this obscene book available to children as young as 12 years old may try to convince you that restricting this book will be a form of censorship and, if the bill is passed, it would cause great harm to society by restricting the freedom of expression and academic freedom. When hearing these and other arguments I would appeal to the**

**Judiciary Committee to simply apply common sense to this situation and consider these questions:**

**Why does a ND Public library or a ND public school, funded with tax payers dollars, need to purchase and promote obscene and pornographic material?**

**What is the social redeeming value in doing so? And most important: is it in the best interest of children who might gain access to those materials let alone some local pervert who might use the book in an attempt to harm young children?**

**I would strongly urge the committee to vote in favor of not only this bill but also for any bills that help preserve the emotional health and innocence of children living in North Dakota.**

**I recently spoke with a detective who has over 20 years' experience dealing with child porn and has arrested and helped prosecute many individuals who had had hard core child pornography in their possession and went to prison for it.**

**He told me the images in the book "Let's Talk About It" are similar to actual pictures and videos he has found in possession of child pornographers...certainly something to think about as this process unfolds.**

**Thanks**