

To Whom It May Concern:

### **In Opposition of SB 2307**

My name is Jessica Rasmussen and I am writing in opposition to SB 2307. Senator Erbele, a sponsor of this bill, is my district senator. He provided a testimony to the Senate committee that pertained specifically to the school district my children attend as part of his reasoning for this bill. His testimony was misleading at best, completely false, at worst. In the fall of 2024, the district received a request for a library book series to be removed. Per school board policy, the book was reviewed by a curriculum review committee as appointed by the school board. The committee was comprised of 3 school administrators, 2 school board members, 4 teachers, and one community lay person, which was myself. Again, all per school board policy. We reviewed the book utilizing the “Miller Test”, which was established by the Supreme Court in *Miller v. California*, to determine if the material was considered obscene. After thoughtful discussion, the committee unanimously voted that the book series in question did not meet criteria for removal. I don’t share all of this with you to begin a “he said/she said” argument. I share this to point out that there are always two sides to every story. While the decision was not favorable to the person(s) who brought the request forward, it does not mean that it was the wrong decision. We have procedures and protocols in place and they work.

Secondly, a bill like this is just plain governmental overreach. It stifles the First Amendment and puts the onus of parenting on the librarians and educators. There is common sense lacking in this bill. If you, as a parent, do not want your child to read a book, then don’t let them read it. It’s as simple as that. To quote Senator Sean Cleary: “librarians, teachers, they’re not pedophiles. They’re not pornographers. And they are not groomers.” Our librarians and educators do not deserve this type of open hostility, they need our support

Additionally, the wording in this bill is too vague. While I consider myself to be a “reasonable person”, other people would likely disagree with that. Who is more “reasonable”? Or to put it another way: whose opinion is more important? “Reasonability” is not a measurable standard by which to determine a books value. Neither is “contemporary North Dakota Standards.” Surely these “standards” can vary from resident to resident.

Lastly, this is a fiscally irresponsible bill. As per testimony provided by the NDUS, the cost to implementing this bill is estimated at \$1,110,837 for FY 26-FY27, and \$926,956 FY28-29 ongoing per biennium. This does not take into account the cost of the litigation that is sure to follow should this bill pass. You have a duty to North Dakota residents, not to out of state

special interest groups, to be fiscally responsible. Passing this bill would be the opposite of that.

I urge **DO NOT PASS** on SB 2307.

Thank you for your time and consideration on this matter.

Respectfully,

Jessica Rasmussen

District 28