

House Judiciary Committee March 18th, 2025

Chair Klemin and members of the House Judiciary Committee: My name is Mariah Ralston and I'm writing in opposition to SB 2307. Thank you for the opportunity to submit testimony.

I believe this bill is not based in reality. There is no crisis of pornographic books being distributed in North Dakota libraries. And we are not seeing a deluge of book challenges in our libraries. According to the testimony provided by the ND State Library, there are 62 libraries in North Dakota, and there have been 34 recorded book challenges in last three years. That amounts to 11 challenges per year spread across 62 libraries.

Some of those in favor of this bill have referred to datasets studying hard core pornography. The various pornography studies being cited have absolutely NOTHING to do with library collections in North Dakota.

It is not ethical to swap out the focus of a scientific study (i.e. Hard-core pornography) and then replace that focus with something else entirely (i.e. books that contain any kind of reference to sexuality) and THEN to claim those studies have proven your point. That is a misuse of scientific data.

I believe if this bill is passed, special interest groups will use the vague parameters of "explicit sexual material" to challenge books they personally disagree with from their own religious/cultural viewpoints. That is no reason for the State of North Dakota to empower their prejudice. HB 1205, which was passed in the 2023 session, already ensures that children's library collections do not contain obscene material. To go beyond that and try to limit sexual material throughout the ENTIRE library is an infringement of the First Amendment.

It is the responsibility of the State of North Dakota to support our citizens' constitutional rights, such as our First Amendment right to speak and receive information. I believe if a patron takes issue with a specific book in our library collections or doesn't want their child to access certain materials in the adult section, it is their responsibility to limit their child's access or to follow the review processes already in place in our libraries.

I believe this legislation is being used to target specific books that special interest groups have identified, and this bill is being used to intimidate librarians into pre-emptively censoring the materials they purchase for their collections.

This is not representative of a free and democratic society.

I ask you to support the First Amendment, and to give SB 2307 a DO NOT PASS recommendation.

Sincerely, Mariah Ralston