

Chairman Klemin and Members of the House Judiciary Committee,

My name is Cindy Thronburg, and I am a librarian at the Dickinson Area Public Library (DAPL). I am writing in opposition to SB 2307. These views are my own, and do not reflect the views of the DAPL or my employer, the City of Dickinson.

The core issue I see with this bill is how the bill instructs that, "A public library or a school district may not maintain in an area easily accessible to minors explicit sexual material." We all know that some adult library materials may contain what some people may deem "explicit" content, e.g., romance novels, R-rated movies, etc. And while these materials of course would not be deemed obscene by current obscenity laws, this bill states that "'Explicit sexual material' means any material that . . . Is patently offensive under prevailing standards in the adult community in North Dakota as a whole regarding what is suitable for minors . . .," the definition of which could be arguable in several different ways.

Restricting these materials to areas where minors cannot go will create logistical issues for libraries to comply. In my opinion, one of three things will have to happen:

1. Libraries will have to make costly renovations to create walls, doors, and separating structures in order to make sure minors cannot enter areas with designated adult materials. They will then have to staff these areas to make sure only adults and minors with accompanying adults are entering.
2. Libraries will have to remove all adult materials. This is what will likely have to happen to bookmobiles. The majority of our patrons on our bookmobile are minors because we stop at their schools.
3. Libraries will have to close their doors to minors who are not accompanied by an adult. This may be the only option for libraries to fiscally survive this bill. Libraries that cannot afford costly renovations and who want to be able to continue to serve their adult patrons by offering them adult materials will have to police their libraries and only allow in adult patrons and minor patrons that have an adult with them. This will drive down library usage. Minors will no longer be able to come to our library after school to play on the computer, etc.

Besides one of these three things happening, patrons will likely lose access to e-book and audiobook services like hoopla and Libby, which not only expand the options that libraries are able to offer their patrons, but are essential to rural and home-bound individuals that can't get to the library themselves.

This bill is not only harmful to libraries and their patrons, it is unnecessary. Obscene materials are not being distributed to our patrons. Librarians carefully follow collection development policies to choose materials appropriate for our patrons. If patrons disagree with any materials, there are policies in place, such as Requests for Reconsideration to review the material in question.

I urge you to oppose this bill. The only thing it will achieve is to create costly burdens for libraries and our taxpayers, and drive down library usage.

Thank you,

Cindy Thronburg
Dickinson, ND