

Members of the Senate Judiciary Committee,

I am adamantly opposed to SB2307, a bill violating my First Amendment rights to access information and its extreme censorship of books available to all citizens.

Do you really want to deprive your community of the one, last stanchion of altruism? Libraries are for EVERYONE, no matter size, shape, deity choice, racial or ethnic background, age, gender, financial status or any other qualifying label someone wants to slap on every soul who walks this earth. Libraries are safe spaces for so many individuals, where humans can find solace in a story with characters who look just like them; humans who have lived experiences just liked theirs and lived to tell the story; humans who can teach us compassion toward others and help us learn their stories. For when we take the time to do that, we find we are all more alike than different. Isn't that the goal? For a UNITED States of America, again?

The bill's vagueness alone should produce a Do Not Pass recommendation. The repeating questions of:

1. Who decides which books are removed from libraries? Will there be a list published by the North Dakota Legislature? If so, we have entered a Nazi-era of book censorship. If the North Dakota Attorney General has to adjudicate every book challenge, where will the AG have the staff and time to read in entirety any book submitted for review? Will the AG need to convene a review board for every book challenge? This process already exists within the states' libraries. Local Library Boards and library policies provide the opportunity for patrons to challenge materials. A thoughtful process then takes place to review the material based on what was most likely Miller v. California 1973 court ruled structure. Which by the way already exists in ND Century Code.
2. Most libraries do not have the physical space to reconfigure to allow a 21-and-over room. Will there be funding to assist these libraries in renovations, along with staffing to "card" everyone entering the room? What will moms with small children do if they want to enter the "forbidden" room? Will libraries now have to babysitting staff available?
3. By extending the censorship coverage to online materials, you further will deprive students of all ages the opportunity to access research databases. Additionally, for those of us with busy schedules, you will deprive us of the great service of being able to check an electronic book out at 2 a.m., or 1 p.m. or whenever the library is closed. The narrow-minded thinking involved in censoring these materials is fatalistic. We are a global economy and people need to learn how to navigate information in all places and at all times. Everyone with a phone can access materials not curated by a thoughtful collection policy.
4. Is this bill really in reaction to many explicit materials being found in the public and school libraries? Or is it in reaction to a small group of individuals finding the material offensive and using their power to create legislation to mandate removing materials only they oppose? From past research, it can be said about 6% of the Bible contains materials that could not pass the Miller Test.

As for "willfully displaying explicit sexual materials to minors" which is what Miller v. California 1973 sets out to quantify, librarians have been implementing the practice of reviewing materials based on the criteria set forth in that ruling. By the way, during the 2023 session, Rep. Lawrence Klemin R District 47, then chair of the House Judiciary Committee, repeatedly on the House floor during voting referred to Miller v. United States, which is in fact a 1939 gun case. This to me shows a lack of knowledge on exactly what is being voted on and only further proves the lack of understanding of the consequences of this bill.

Again, the best vote on SB2307 when considering the well-being of all North Dakota citizens is DO NOT PASS.

Respectfully,
Sandi L. Bates
Private Citizen