

Testimony in opposition to SB 2307: (2/10/25)

My name is Traci Juhala. I currently hold the position of Head of Youth Services at the Bismarck Veterans Memorial Public Library and have been in this position since 2008. Thank you for your time in reading my submitted testimony.

There are many aspects of the proposed amendments to NDCC 12.1-27.1-03.1 and NDCC 12.1-27.1-03.5 in SB 2307 that are problematic, including quite shockingly that librarians could potentially be held criminally accountable for not censoring library materials. In this testimony, I will specifically address one aspect of SB 2307: Amendments to NDCC 12.1-27.1-03.5 in Section 4.

The amendments to NDCC 12.1-27.1-03.5 read in Section 4, Subsection 3, that our community's public library would be required by January 1, 2026, to develop a policy "to relocate materials to an area inaccessible to minors, or refer an individual to the attorney general under section 7 of this Act, upon a request from an individual to relocate one or more of the books or other media in the library collection the individual believes contains explicit sexual material."

Our library's mission is one I stand firmly behind: to collect, organize and provide open access to educational, informational, recreational, and cultural resources. My responsibility as a librarian is to make this happen with the financial resources I am allotted. I do this in good faith as part of a team of highly trained individuals with many years of collective experience.

In this amendment to NDCC 12.1-27.1-03.5, my responsibility, along with that of my coworkers, would be handed over to an individual, or many individuals, who decide a title in the collection contains explicit sexual material. Because the definition of "explicit sexual material" in Section 3, Subsection 2 of this bill leaves open room for interpretation, this might simply mean that the material does not fit in the individual's life paradigm. The decision to relocate or remove a title would take into account one person's opinion, and that person's opinion would prevail, with library staff under threat of being charged with a Class B misdemeanor if not compliant. Our library already has a sound policy in place for handling any concerns patrons have about materials, and this involves a committee of library staff, who also seriously do their work in good faith. When challenges arise, the reconsideration policy is followed; materials are either retained in place, retained and relocated, or removed.

People from all walks of life use the public library. Our patrons come from across the political, religious, and philosophical spectrum, and our library needs to reflect that. If patrons do not agree with concepts in a certain book, those patrons can choose not to check out those books.

As librarians, my colleagues and I strive to collect, organize, and provide for our patrons. We do not dictate what people should read, and we also do not dictate what they shouldn't.

I encourage you to visit your public library to find out more, and I urge a Do Not Pass for SB 2307.