

Testimony by Kara Geiger in OPPOSITION to SB 2360

(Though I am a current member of the Board of Trustees for the Morton Mandan Public Library, this is my personal testimony and is not necessarily the position of the MMPL, its trustees, or its staff. My comments are mine alone.)

It seems to me that this bill attempts to rewrite a law that currently applies only to displays of pornographic publications available for sale that might be visible to minors. It's why we see certain magazines wrapped in plastic and their covers concealed in bookstores and convenience stores. My understanding of this is based on the language in the current law: "...is devoted to, or *is principally made up of* depictions of nude or partially denuded human figures posed or presented in a manner to exploit sex, lust, or perversion *for commercial gain*" (emphasis my own). Furthermore, the current law exempts "a bona fide school, college, university, or museum, or public library for limited access for educational research purposes carried on at such an institution by adults only."

SB 2360 puts every single book, magazine, pamphlet, etc. (including artistic and scientific materials) in a business, school library, or public library that simply *contains a written description* – not just images – of sex and nudity on the same level as an issue of Playboy magazine. Materials no longer have to be "principally made up of" sexually explicit depictions – they just have to "contain" them. It makes criminals out of librarians. Think about that. It's not reasonable. It's not legal. It's not good for society.

This bill tasks each public and school library in the state with reviewing its entire collection of materials, which places an undue burden on institutions that already do not receive enough funding. This bill will especially hurt rural libraries, many of which have only one paid staff member. I fear that we will see a mass closing of public libraries in the communities that need them the most.

This bill, if passed, would set a very dangerous precedent. What category might be censored next? How about books that challenge Christianity or promote atheism?

Considering the demographics of the current legislature, it seems entirely possible that something like that could be next, if this bill passes. Where does it stop? It needs to stop here and now, by killing this bill.

Public libraries exist for the good of society. They are governed by volunteer trustees who help write the policies by which a library operates and ensures that those policies are followed. They are staffed by professionals. Books and other materials are not added to a library's collection randomly or on a whim. A great deal of thought and research goes into it, along with public input. Any member of the public can challenge a book.

A bill like SB 2360 tells me that our government does not trust public libraries, their staff, or their trustees. If that is true – if you truly believe that public libraries in North Dakota are not operating with the best interests of our citizens in mind – then we have a much bigger problem than the scope of what this bill addresses. If I'm mistaken – if you DO trust libraries – then I respectfully ask you to back off and let libraries do their job. Encourage your constituents to work with their local library to address their concerns about materials they feel shouldn't be in the library. Encourage them to attend library board meetings, which are always open to the public, to ask questions, and to engage in productive dialogue.

A bill like SB 2360 also tells me that our government does not trust school librarians, administrators, parents, or guardians.

The government should not have a say in what a public library should or should not have in its collection. That's censorship and it's illegal. **Vote NO on SB 2360**

History tells us that those who try to ban books are NEVER on the right side of history. Be on the right side and vote NO on this bill.

Thank you for your time.

Kara L. Geiger, Mandan