



# NORTH DAKOTA

## *Family Alliance* LEGISLATIVE ACTION

### Testimony Supporting House Bill 1205

Mark Jorritsma, Executive Director  
North Dakota Family Alliance Legislative Action  
March 13, 2023

Dear Madam Chair Larson and honorable members of the Senate Judiciary Committee,

My name is Mark Jorritsma and I am the Executive Director of North Dakota Family Alliance Legislative Action. I am testifying on behalf of our organization in support of House Bill 1205 and respectfully request that you render a "DO PASS" on this bill.

Our organization and its constituents feel strongly about eliminating obscene and pornographic materials from public libraries, and in particular, protecting minors from explicit sexual content. I have heard time and again that people feel they cannot send their children to the public library anymore because of the content that is found in books which are promoted by their neighborhood libraries.

That being said, I would like to address some of the concerns expressed about this bill.

1. We should not get to decide what others read and see. We decide what people can read and see all the time. This includes restricting children from watching R-rated movies, the public from seeing the covers of pornographic magazines in stores, deleting phishing scam emails at the server level before they ever reach your inbox, or even stopping threats to public safety such as shutting down internet sites that contain detailed plans on terrorist training. We also already restrict what can be seen on public library computers, in compliance with federal COPPA requirements. We (and our government) are able to, and in certain cases are morally obligated to, restrict what others can see or read.
2. Individual complaints should never drive the removal of books without a review process. There is a detailed review process required by HB 1205 described in section 1, subsections 3 and 4 of the bill.
3. If someone does not like a book, then they should simply not read it. First, you don't know if you like a book until you've started reading it, and given the natural curiosity of children, the likelihood of them putting the book down and stopping reading it is staggeringly low. Second, a child might like a book that shows nothing but pictures of WWII war atrocities, but their desire to see those pictures has nothing to do with

whether they should be reading it. They are simply not old enough to make that decision.

4. It is the job of a parent/legal guardian to filter content for their child. We agree, however, children can be exposed to books their parents wouldn't approve of before the parents discover what their child is reading. In other words, you can't opt out your child from reading a book if you don't know about it, and public libraries have no compulsion nor incentive to inform parents of this information. Is the local public library committing to calling every parent before allowing their child to check out a book classified as inappropriate for their age? Further, if Bobby checks out an obscene book, it is very likely that he will at some point share that content with his best friend Charlie and perhaps others his age. In fact, experience and an understanding of child social dynamics suggests that the more enticing the subject matter, the higher the likelihood it will be shared.

This bill has nothing to do with book burning or banning, trampling constitutional rights, or trying to have our children grow up in a bubble. These characterizations of the bill are simply sensationalism. It may sell newspapers or boost internet traffic to a media website, but that doesn't make it true.

This bill has everything to do with eliminating obscenity from taxpayer-funded public libraries and protecting our children from having their innocence stolen from them by inappropriate materials. If we cannot show the images from a children's book on television, a minor should not be able to check it out.

House Bill 1205 is common sense and applies obscenity boundaries to public libraries, which is as it should be. It is something that we at North Dakota Family Alliance Legislative Action agree with wholeheartedly. Because of this reason, we ask that you render a "DO PASS" on House Bill 1205.

Thank you for the opportunity to testify and please feel free to reach out to us with any questions you may have.

Sincerely,



Mark Jorritsma  
Executive Director