

WRITTEN TESTIMONY IN OPPOSITION
TO SB 2123

Senate Judiciary Committee on SB 2123

Date of Hearing: January 23, 2023

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My name is Denise Ann Dykeman. I am a resident of North Dakota, a parent, a practicing attorney, and a Lutheran. I am also an avid reader of books and an art lover. I've travelled to many bookstores, libraries, and art galleries all over the world. I have also visited the private collection of sexual art at the Kinsey institute at Indiana University and the World Erotic Art Museum in Miami. Both provided meaningful contributions to my understanding of humanity. I am glad to be in the United States of America where we are allowed to have a free exchange of ideas, even when those ideas might be controversial, shocking, or even offensive.

This proposed bill would unlawfully censor public libraries, art museums, books stores, and individuals. This bill would deprive North Dakotan children and adults from access to important ideas and art. The phrase "presented in a manner to exploit sex, lust, or perversion" is entirely subjective and unhelpful. Prohibiting not only "the exposed cover or available content" is shockingly broad. Are we really to tell the Minot Barnes and Noble or Main Street Books that they cannot carry books such as The Complete Illustrated Kama Sutra? What about "Art, a Sex Book" by John Waters? Shall our universities not display reproductions of Renaissance Art or Picasso? Shall our Christian churches remove all the bibles? Bibles include many colorful stories. See for example, Genesis 19:30-36 or Genesis 29:21-28. This bill is entirely overbroad and yet another bad bill for North Dakota businesses or anyone trying to recruit students or employees to the state.

Many book stores, libraries, and art galleries, including tribal and university galleries, contain art, sculptures, and books which display images of the nude human form or describe activities that might inspire lust or sex or even perversion. These pieces and materials teach us about what it is to be human, expose difficult truths, and explore beauty and sexuality as well. These works are important for our understanding of each other, other cultures, and historical understandings of sex and sexuality. I trust our North Dakota teachers, librarians, book store owners, and art curators to offer and display quality materials in our communities and I trust parents, pastors, and our community members to guide North Dakota children and answer their questions as they encounter these and other ideas.

As a young person, the places where I was exposed to potential harm were not in a library or in an art gallery, not a bookstore, or in a classroom, not even a gas station magazine rack, but rather, stumbling upon my teenage male cousins and their friends watching porn after school at my uncle's house or other such encounters in private homes. I would like to see this legislature focus much more attention and resources on the very serious problem of boys and grown men actually raping and abusing women and children rather than engaging in 1950's era pearl clutching and attempts at censorship and bullying in the name of protecting children.

Please Oppose Senate Bill 2123.

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