

January 23, 2023

Re: SB 2123 – Opposed

Chairman Larson and Members of the Senate Judiciary Committee:

For the record my name is Christine Kujawa, Library Director at Bismarck Veterans Memorial Public Library and I oppose Senate Bill 2123.

This bill is vague, broad, disregards many considerations, and would prohibit people of all ages from accessing information, including works of art and literature. The definition of “objectionable” is completely subjective. From my library’s perspective, this would cause a logistical nightmare. To be compliant, we would have to monitor the contents of every title in the collection, over 400,000 items, and the age of who is looking at them, with close to 190,000 visitors annually, or I will be criminally charged with a class B misdemeanor, with a penalty of fines, jail time or both if the material in question is not removed. **I’m a librarian and would face jail time, fines, or both if I don’t remove material based on someone’s nebulous and subjective definition of “objectionable” content.** This could include art books, romance novels, magazines, and movies. What about our high school students who shelve all manner of material at the library? Can we no longer hire them? Will we have to fire them?

There are forces at work that interfere with a “life of the mind and diminish the possibility of a life of meaning. They include separation from the written word...and

separation from the virtues of leisure, respite, and reflection.” They hinder access to “books and reading and conversation and discourse to inner peace, to self-discovery, to food for thought and thought’s nourishment of the soul.”¹

These aren’t my words but rather those of a lawyer who wrote an academic peer-reviewed literary analysis of Ray Bradbury’s book *Fahrenheit 451*. Written in 1953 and set in a dystopian society, the government gathered all the books and burned them so citizens didn’t have access to objectionable ideas, thoughts, and the written word. Anyone found with such a book was criminally charged. Does this sound familiar?

As a lifelong citizen of North Dakota, this bill is an embarrassment to our state, our citizens, and anyone thinking about moving here. The First Amendment guarantees our freedom of speech and right to access information. Censoring intellectual and academic freedom raises significant constitutional questions and issues and is bad public policy. Each of us gets to decide for ourselves the information we want access to but we don’t get to choose for other people. Doing so is un-American and unconstitutional. If you find a book or material objectionable, don’t look at it.

Respectfully,

Christine Kujawa
Bismarck, ND

¹ Smolla, Rodney A. “The Life of the Mind and a Life of Meaning: Reflections on *Fahrenheit 451*.” *Michigan Law Review*, vol. 107, no. 6, Apr. 2009, pp. 895–912.