

## Testimony to the 68th Legislative Assembly (2023-25)

### HB1205

January 17, 2023

Hello Fellow North Dakotans! I've been a North Dakotan almost my entire life. Born in Washington since my parents briefly lived there, but they moved back to ND when I was 2. I LOVE North Dakota. There's no better place to raise your kids than in North Dakota. People around America say we're "North Dakota Nice", and I would agree. But sometimes, that's to our detriment as we find ourselves presently failing at protecting the innocence of the children of North Dakota.

Historically, those that moved West to settle this great nation protected children. Think about it. When the wagon trains made their way here to North Dakota, if they came up against a threat, what did they do? They 'circled the wagons'. Why? Why would they circle the wagons? It was for protection. And who was placed in the middle of that circle? Women and children. The men sacrificed themselves and all they owned in this world that was packed in that wagon, to protect the women and children. Why? I believe it was because they placed greater value on them than they did on themselves. If they didn't, they wouldn't have chosen to sacrifice themselves for their safety. Because even if they perished, their children would live on. That was of greater value to them than their own lives or possessions. What happened?

As I have looked around America over the last 3 years, I've said so many times, "I'm so glad I live in North Dakota." I believed we were insulated from a lot of the harm that was being done to children, as I saw in other states. So much sexualization happening that I feared for my grandkids and what kind of society they were going to be growing up in. And then in October 2022, my eyes were opened and my heart was broken. "This doesn't happen in North Dakota", I thought. I was almost in a sense of denial when I began to hear and read about the pornography and obscenity that was in my public library in my little town. This is the library my children were raised in, the kind of library I was raised in. I thought the people that were calling it pornography were just exaggerating about the contents of the books there. "They were probably religious pearl clutchers", I thought in my mind. "Or SUPER REPUBLICANS", you know the kind! And I certainly wasn't either! I brushed it all off until I finally decided to go look for myself at a meeting being held at the library. I arrived early so I could go look in the stacks. I can tell you I stood stunned. Just shocked and silent. I met more people that were there for the meeting and one was a librarian for a school in a surrounding area. She began pulling book after book after book off the shelf of the young adult section. She was familiar with these books and she began to show me the content. I can tell you that saying the word horrified isn't being over dramatic. My mind could hardly conceive of what I was seeing. The book that had been in question wasn't available on the shelf at that time, but someone there had the

book and allowed me to borrow it and thumb through before the meeting. It WAS pornography! I couldn't believe it!! It's almost like it wasn't real?! Surreal. This can't be happening. This can't be out for kids to see?! When it finally sunk in, I was angry and wanted to ask questions at the public meeting so I went downstairs and was seated, waiting patiently for the meeting to start and my opportunity to speak.

The Library President stood and read a prepared policy that more or less told all of the tax-payers there that they have no right to speak so kick rocks. I couldn't believe what I was witnessing. How? How can a LIBRARY, a PUBLICALLY FUNDED ENTITY, withdraw the ability to speak from the same people who fund it? And do so with a POLICY? When did we get to a place in our country where policies usurp statutes, amendments, and ordinances? These are the only 3 "forms of law" in America. I left that meeting determined to find the answers to the hundreds of questions that were now in my head. That's when I learned about this exemption from prosecution that we had here in ND. So, I ordered the book in question that was titled, "Let's Talk About It" The Teens Guide to Sex, Relationships, and Being Human, and began researching EVERYTHING. I needed understanding. How did this happen? How did we get HERE? I TRUSTED my library. I TRUSTED this would never happen in my library, in my city, in my state. This was North Dakota! We don't allow this stuff! But I was wrong. We do. Because it's happening right now, all over the state and the good people of North Dakota are doing all they can to try to make it stop. But we need help. We need this exemption to be repealed.

I learned about OES's. Because of a statute called an OES or Obscenity Exemption Statute, from the 1960s that ND passed to protect sex ed in schools and books in libraries and art in museums and galleries that showed stuff like Renaissance nudes, we now have pornography and obscenity being distributed to minors in our state. So how did THAT happen? Where did that leap happen, from books with Renaissance nudes in them to books that have lifelike sketched images of things like for example, a naked man, laying on his back on the floor, and another naked man laying on top of him, with his penis in the other man's mouth! How is THAT given to any 14 year old child and ANY ADULT thinks that's OK?? We have obscenity to minors statues on our books. So how crazy is this? If I took that book out of the library, walked across the street, and gave it to a 14 year old girl and said, "Hey, lots of great info in here about being human, you should read it!" Do you realize I'd be arrested and charged with a Class C Felony?!! And rightfully so! But a librarian can hand it over to a kid in the library and that's called "intellectual freedom"? How messed up is that? And please let me be clear. This isn't just A BOOK that people are making some big fuss about, this is an agenda to sexualize children across America. Why do I say that? Because I've done the research; but that's another discussion for a different day. I never make a statement I can't back up with facts. Not feelings. Not assumptions. Not a statement made from some religious or political stance. Just facts. Let me give you a few examples so you understand.

This book is defined in ND Century Code as “**obscene material**” but it’s also **very harmful to minors** as proven by FBI, Sex Crime Investigators, and treatment and recovery centers just to name a few. Hard core porn is defined in law as: ***porn featuring sexual penetration and other sexually explicit acts***. On pages 91,117, and 165 penetration is shown by a penis, a finger, and a mouth! **Porn is NOT protected under the First Amendment so let’s stop calling this “censorship”!** The book is “harmful to minors” because a sex crime investigator and child sex abuse and trafficking expert has explained that **graphic scenes in children’s books make minors more vulnerable to sex crimes. When children are exposed to sexual activity, it piques their curiosity, reduces their inhibitions and makes them more vulnerable to be exploited. Early exposure to sexual images and literature normalizes sex acts, which makes it less alarming to children when predators groom them.**

FBI warns of an explosion in sextortion cases targeting teens ages 14 to 17 online. Just in case you haven’t heard about this rapidly exploding crime in America, it’s as follows: A predator poses as a teen your age. He coaxes you into sending a naughty picture because you believe it’s someone that likes you. You send the picture or pictures and they have you right where they want you. They begin to terrorize you. Unless you send the money through the cash app they tell you, they threaten to expose you to your school, your community, your family, everyone who you would never want to see those pictures. So, kids do whatever they need to in order to get that money. Until they can’t anymore. They try to reason with the predator but of course we know how that goes. So the child ends up killing themselves. With **12 deaths from suicide and over 7000 cases reported just last year**. It’s a growing crisis and completely devastates children and families. But in December, BBC America reported on December 20<sup>th</sup> that the game just got more cruel. How? How does it get more cruel than kids getting dead from thinking the internet is safe and being told to explore their kinks and fantasies online? So they do. And they die? How does it get worse? Well, now these sextortionists are extorting parents! They tell the parents if they don’t want the pictures of their dead kids to be posted everywhere, they need to pay up! There’s a 2022 movie called Sextortion. I’d encourage all of you to watch it. I did. And it made me even more determined to do whatever it takes to protect the kids of North Dakota from predators. These poor kids that killed themselves, the last thing they felt in this world was—SHAME. Not LOVE. But SHAME. Doesn’t that make your stomach sick? Because it makes mine sick.

On page 152 of this library book on sexting—“***Before you start sending your naughty masterpieces around the world, take some time to get friendly with photo-editing software or apps.***” Page 164, “***A great place to research fantasies and kinks safely is on the internet. There are TONS of people and communities out there who share your interests and have all kinds of advice. The online world is also chockablock FULL of PORNOGRAPHY, professionals and amateurs alike sharing their sexy adventures.***” Next to the oral sex porn on page 165...it tells children, “***But there’s nothing wrong with enjoying some porn; it’s a fun sugary treat!***” But is it? The

answer to that is NO. That's a lie and it's harming children across America. And yes, we would be fools if we didn't believe it was also harming children right here in North Dakota.

A content analysis of 4009 heterosexual scenes from Pornhub and XVideos reported that 45% of Pornhub scenes and 35% of XVideos scenes included at least one act of physical aggression. Women were the target of physical aggression in 97% of scenes, and they responded with pleasure or neutrality in at least 93% of these scenes.

This shows how porn is normalizing objectification of and physical aggression against women teach teens and preteens that we as women, should enjoy and welcome aggression from male suitors and feel like that is a good thing and that there's nothing wrong with that; opening up women to domestic violence situations and relationships, since that's what's portrayed in the majority of porn that these books are recommending and directing them toward. The objectification of women in porn also leads to low self esteem teaching that women are nothing more than an object that men can use for sex and that if they don't allow men to use them for sex then they have no value and will never have a relationship; which is the one thing most teen girls desire. Someone to love them. To call them their own. To want them and want to be with them. And on the flipside from the male perspective it's teaching teen and preteen boys who are already pumped full of new testosterone, that aggression is okay; that women desire that and enjoy that, and that's how they should show that they are interested in a girl. This combination can lead to a variety of issues, the most common being domestic violence and abuse.

There is no disagreement that the prefrontal cortex, the part of the human brain that is able to conceptualize and assess long-term consequences, the part that is responsible for impulse control, and the part where judgment and reason are exercised, remains under development until around age twenty-five. Because of this, adolescents at age 13 don't have the physical brain to be able to consent to sexual activity in the same way that they can at age 18, and the eighteen year-old's consent is similarly less informed and less meaningful than the consent of that same person at around age twenty-five.

Sources cited: ***A Descriptive Analysis of the Types, Targets, and Relative Frequency of Aggression in Mainstream Pornography***, Archives of Sexual Behavior 49, (2020) and Jochen Peter & Patti M. Valkenburg (2016) ***Adolescents and Pornography: A Review of 20 Years of Research***, The Journal of Sex Research, 53:4-5, 509-531, DOI: 10.1080/00224499.2016.1143441

So, now I ask you, "Is porn a fun sugary treat for a 14 year old? A 16 year old? Should we have books in the library endorsing and promoting pornography? Encouraging kids on page 164, '***When consumed right, porn can help you discover new aspects of your sexuality and help you safely explore kinks and fantasies...Look up interviews with your fave porn performers, go to the sites they recommend, and pay for your porn.***' Should kids have "fave porn performers"? How is THIS BOOK and all of the rest like it, STILL ALLOWED to be in the hands of kids? Dickinson did an independent audit

of their library and so far, have listed 107 books that should never be in the hands of children. This isn't just a ONE OFF thing. The good people of Gillette, Wyoming fought to protect their kids from the harmful obscenity and pornography in their library for over a year and was finally successful October 2022 in taking it back, with a new library director and board, cut ties from the American Library Association because they know that's where the poison is coming from, and they have a library that is now meeting their community standard of promoting healthy families and children. And THAT'S just one story. ***Parents and Grandparents from July 2021 to June 2022, have been fighting obscenity and pornography in books in 5,049 Public Schools, 138 School Districts, in 32 states.*** And that DOESN'T include North Dakota because we didn't officially enter this battle until after June 2022. Does THIS reveal an agenda to sexualize kids? If those numbers don't shock you, you're either sleeping or dead! So again, how did it happen? How does the library consistently defend it's peddling of porn? The answer is again, the American Library Association. They have Award Winning Books. They have THEIR OWN RATING SYSTEM. They make their recommendations sound so solid, so unquestionable, so credible—that the average person says, “OH, WELL IT WON THE **2016 ALA Stonewall Book Award, Honor Book**, So it MUST be good, right?” That's the Sex is a Funny Word book in the library. Since I've researched for hundreds of hours to try to figure this whole thing out, I want to thank you all for the opportunity to share all that I discovered while I sought my own understanding. Rating Systems. There are other book rating systems out there. The BookLook rating system was inspired by the widely accepted MPA rating system. *It's a rating system based on objectionable content whose definitions were derived from legal statutes and widely-accepted community standards. A base rating of 0 to 5, is determined via the type and severity of the objectionable content found in the rating system. The final rating is based on the work as a whole, therefore, on occasion, there may be a rating lower than expected as mitigating factors may be present, negating the higher rating.* So what did the LIBRARY say about this book? What did BookLook say about this book? The library rates it for ages 8 to 10 in their description. However in it's tags [which is how the book is generated when random searches are made in their system] the book will be generated as a suitable suggestion if one searches: ***non fiction books for kids age 5-8, or children's books by age 5-8, or kids books ages 6-8, books for 7 year old girls, nonfiction books for kids 6-8, books for 8 year old boys, sex, dating.*** So lets stop there! Just THINK about that list I just gave you. That's only 8 of the tags the library gave to this book. The whole list totals 25 tags and also lets you know that it's Kindle compatible. Any critical thinker will ask themselves questions after reading a list. My question is? How do you tag a book for 5-8 year olds AND tag it for SEX AND DATING? Do 5 year olds need to know about SEX AND DATING? All questions nobody asks the American Library Association and our local libraries have fully insulated themselves with the “policies” handed down from the top, to stifle questions or dissent about any book. Nobody will hold the library accountable for their decisions. Why? Somebody needs to hold them accountable for the sexualization that's happening to our kids. Now, do you want to hear the rating by the INDEPENDENT BOOK RATING SYSTEM? They rated this book a 4/NOT FOR MINORS! So, a book that is not for minors

is being tagged as a book for 5 year olds? How? PLEASE let these questions cause the angst and curiosity within yourselves that they caused in me. Curiosity to figure it out, and I did! The wisdom to see the THREAT that it is to our children that will cause all of the good men and women of North Dakota to circle the wagons and protect our kids!!

Just ONE BOOK in my library that was in the young adult non fiction stack, was written by 2 cartoonists, not even a degree in ANYTHING of note to be instructing our vulnerable and impressionable kids promoted all of these ideas: ***Virginity is a silly label, Polyamorous Relationships are loving, intimate, romantic relationships, a hook up is still a relationship, friends with benefits is just a more casual relationship that focuses more on the sexual side of things. They have such wise advise from these cartoonists like, "chat it out before you pound it out", exactly what I remember lovingly advising my 13 year old daughter, how about you???*** They normalize promiscuity as they call sleeping around experimenting and SUPER NORMAL. And in case you didn't know, the book informs the readers that HPV AND HERPES are really no big deal. WHEW!!! Here I thought one led to cervical cancer and the other stayed with me for life. I'm sure glad they're NO BIGGIE!! That makes me feel better so I can have more casual relationships!!! STIs are NO BIG DEAL, There's a whole chapter on KINKS AND FANTASIES! Why? Why on God's Green Earth are we pushing books on KINKS AND FANTASIES when the US RANKS NEAR THE BOTTOM IN A SURVEY OF 15 YEAR OLD STUDENT MATH SKILLS in 30 industrialized countries according to US and World Economics Magazine. Out of 79 countries, US ranks 11<sup>th</sup> in Science and 30<sup>th</sup> in Math. Did you know that? Because I didn't until I fell down this rabbit hole of research in October 2022. Those low scores mean that US students may not be as prepared to take high-paying computer and engineering jobs, which often go to foreign workers. When you view it through the lens of education, preparing our kids for the REAL WORLD, teaching them about anal sex, rimming, fisting, and butt plugs doesn't seem that important. It actually seems more like a way to distract them, spin them out, stop them from reaching their true potential by getting all caught up in the trappings of the titillating bait that's dangled in front of them. But at what cost?

Today in North Dakota as across America, our teens are more medicated, more depressed, more anxious, feel more hopeless, more addicted to drugs and alcohol, and more suicidal than any generation before them. Recovery Centers nationwide have studies out that link porn usage to drug usage as they explain they have the strongest link to one another. They are "Cross-Addictions". Upwards of 80% of males in one study on porn addiction also had past or current issues with drug addiction. The studies stated that it's not surprising that many addicts are addicted to multiple substances or behaviors. After all, addiction is driven by a desire to escape from trauma, anxiety, depression, or other painful emotions. It concludes by stating, ***"Often, porn addiction and substance abuse go hand in hand. Both behaviors provide an escape and fulfill the addict's need for risk, which produces pleasant chemical changes in the brain. Unfortunately, these compulsions fuel one another."*** So, in other words, the library

is promoting porn as a FUN SUGARY TREAT, when in all actuality porn creates addicts. Drug addicts. Alcohol addicts. Nothing fun and sugary about that!

And how about all that sexualization that's portrayed as SEXY ADVENTURES? What do experts say about this—INSTEAD OF CARTOONISTS? ***“When girls are viewed, portrayed, or treated as objects, they start to self-objectify and this can be psychologically damaging, especially when the girls begin to value physical attractiveness or sexual worthiness above intelligence and personal well-being. When young girls suffer from poor mental health, they become vulnerable to manipulation, false promises, violent acts, and mistreatment. All girls, regardless of social standing or geographic location, are susceptible to sexual harassment, sexual assault, sexual abuse, prostitution, and sex trafficking, all of which can stem from sexualization. Girls are being exploited all across the country...Putting a stop to the sexualization of girls requires many SYSTEMIC AND SOCIETAL CHANGES.”***

The changes are pretty simple to start. The precedent has already been set. Law has been settled on this matter a long time ago. How? Back when it took the law a minute to catch up with society back in 2000. The internet hit the world in 1995, transforming everything. So, by 2000 there was a lot to catch up with in America. Congress passed CIPA at that time. The Children's Internet Protection Act which **required public libraries to make it harder for internet surfers to look at pornography. “Congress adopted the Children's Internet Protection Act of 2000 to require schools and libraries receiving certain federal funding to block children's access to obscene material, pornography, and material deemed harmful to minors.”** One provision of the law required that these institutions provide access to such materials for adults who needed it for bona fide research purposes. That seems pretty clear to me. HOWEVER, we see the true colors of the American Library Association at that time. How come? Because they CHALLENGE THIS! What?? What kind of person thinks it's NOT a good idea to keep porn from the eyes of kids?? You really need to question that because I do. So, the US Supreme Court in 2003 in United States v. ALA, **“upheld the constitutionality of the federal Children's Internet Protection Act, finding that the act DOES NOT VIOLATE A LIBRARY PATRON'S FIRST AMENDMENT RIGHTS.** SCOTUS went on to state, **“The filters must prevent access to visual depictions of obscenity and child pornography; for computers that are accessible to minors, visual depictions that are ‘harmful to minors; also must be filtered.”** Why do I cite this case? Because it's relevant. If the Supreme Court required libraries to block children's access to obscene materials and material deemed harmful to minors ONLINE, we all know they will be consistent with the law and require the same of printed materials. In 2000 and 2003, these obscene books didn't exist. But they do now. The American Library Association is exploiting old exemptions on the books to sexualize children. There is enough data out there to support the realization that early sexualization of children is harmful in so many ways. The floodgates are wide open, it's time we begin to dial it back and start protecting our kids again. A great place to start is by passing this bill and making libraries safe for all children to learn and grow again. The majority of North Dakotans will agree that

pornography and obscenity needs to be removed from access to children in our schools and libraries. Please vote yes on this bill. The kids will thank you—later.