

Testimony in opposition to HB 1205: (1/16/23)

My name is Traci Juhala. I currently hold the position of Head of Youth Services at the Bismarck Veterans Memorial Public Library and have been in this position since 2008. After reading the proposed amendments to NDCC 12.1-27.1-03.1 in HB 1205, I was extremely alarmed that were this bill to be passed and made law, not only would public libraries be required to censor materials, but librarians would potentially be held criminally accountable for not doing so.

Our library's mission is one I stand firmly behind: to collect, organize and provide open access to educational, informational, recreational, and cultural resources. My responsibility as a librarian is to make this happen with the financial resources I am allotted. I don't take this responsibility lightly, doing my best to make educated decisions about how we can spend our budget in the most wholistic way that serves the widest swath of our community, our whole community. Though materials intended for children and/or teens are placed in collections to make them readily available to those ages, there is no restriction on access. That is the nature and beauty of a public library; it is a microcosm of our broader world. We have patrons from across the political, religious, and philosophical spectrum using our public library. It is a rich and varied environment allowing all users the opportunity to be themselves and see themselves, together. Children who grow up using a public library are introduced to a broad spectrum of ideas, so they, along with their parents, can learn to make decisions for themselves and become educated citizens who contribute to the greater good of our society.

If this bill passes, it also appears that I would be subject to jail time for allowing a child to express his or her freedom to read if the material he or she chose to read was deemed unacceptable by a subjective, vague, and overreaching standard. This may be well-intentioned, an attempt to keep kids safe. But there is nothing safe about taking away the freedom to choose or the freedom to think or explore or be oneself. Passage of this bill could, and probably would, cause the people who help children learn to be forced out of their careers for fear of spending time in prison. That is a tragedy that must and can be avoided. There will always and should always be concern for children's welfare. But parents should be the decision-makers for what materials their children have access to. We have always encouraged and supported that paradigm in the library. The books we provide are for all people, from all walks of life. If patrons do not agree with concepts in a certain book, those patrons can choose not to check it out. It's that simple.

At Bismarck Veterans Memorial Public Library we have 43,611 items in our children's collection and 5401 items in our teen collection. Based on these amendments in HB 1205, in addition to limiting the resources available by making arbitrary decisions about what is acceptable for patrons, librarians would be expected to monitor the contents of every title in the collection and the age of every patron visiting the library. We have an average of 172,000 patrons visiting the library every year. This would simply not be feasible. This would simply not be right. Censorship, even well-intentioned, is still censorship. HB 1205 should not be passed.