

## INTRODUCTION

Good Morning Chairman Klemin and members of the House Judiciary. Thank you for your time today and allowing me to speak. For the record, my name is Autumn Richard from Lefor, North Dakota and I am here to speak in favor of House Bill 1205.

This bill has become a necessity in our state; to preserve the integrity of our community and to uphold our values. I am here today to talk about the books that I've found within the Dickinson Public Library and to share some excerpts from a few books. It gives me no pleasure to say some of these words that are in these books and it makes me feel uncomfortable saying these words, but I want this committee to understand the gravity of the situation and why these books are objectionable to so many.

I feel like my job today is to help you understand why this bill is being presented, why there has been so much media on this topic, and why there are people willing to stand in opposition of these books.

## BOOKS

The book, "Let's Talk About It, A Teen's Guide to Sex, Relationships, and Being a Human," is a graphic novel for children from the ages of fourteen and up. This book provides terminology such as: anal sex, mutual masturbation, and rimming. Graphic pictures of vaginas and penises are displayed being fondled as well as an entire page providing written and visual instruction to the insertion of anal plugs. There are cartoonish figures in all types of sexual positions, meant to sexually stimulate the reader.

On page 82, the books says, 'the anus is chock full of sensitive nerves, making it a primo erogenous zone for touching and penetrating.' Page 91 says 'reproduction aside, your genitals

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exist to let you feel pleasure with yourself or others, no matter which genitals they may have.

Sexual intimacy is a powerful way to feel good and bond with another person, whether it's for a night or a lifetime.'

This book does talk about Sexually Transmitted Infections and a few things that are stated directly in the book are, "STI's are SUPER COMMON and you can be exposed to them even when you aren't being sexually active. Sometimes all it takes is a bit of fluid exchange." Page 133 states, "Turns out, the majority of STI's are treatable and if caught early, no biggie." "There are some scary infections out there, like HIV. But you know what? Even that can be treated with antivirals to the point where it becomes undetectable."

Page 149 through 153 are focused on the topic of sexting, and while it does say anyone below the age of 18 should not partake, the book is for fourteen year old, and says things like, "sending or getting a wanted saucy something from a partner can be the highlight of your day. It's thrilling, sexy, and fun."

Finally, this book has an entire chapter for kinks, fantasies, and porn, saying things like, "There's nothing wrong with enjoying some porn; it's a fun sugary treat!" (Page 165)

Another book in the library is called Sex is a Funny Word and the recommended reading age is 8-11. This book is full of sexually explicit graphics, including depictions of vaginas and penises, discusses gender identities, sex, and masturbation, all while using colorful and youthful imagery. One chapter in the book states, "Like other holes in the body, the anus is usually very sensitive, which means it can feel good to touch but can also hurt if we are rough with it." There is also a drawing on page 108 of a young girl sitting with her family at a picnic table, with her hand in her pants and a smile on her face, clearly stimulating herself.

Naked, Not Your Average Sex Encyclopedia is a book with a recommended reading age of twelve and older. This book provides detailed definitions to words such as: blow job, doggy style, fisting, glory hole, golden shower, queening, kinging, rim job, scissoring, threesome and tribbing. This book devotes entire pages to: anal sex (pg 8), climax (pg 40), cunnilingus (pg58), ejaculation (pg 73), erection (pg 77), fellatio (pg 87), foreplay (pg 93), friends with benefits or as the book says, 'fuck buddies,' (pg 94), masturbation (pg138), one night stands (pg 157), oral sex (pg 159), orgasm (pg 161), polyamory (pg 169), pornography (pg 170), sex (pg 187), sex games (pg 188), sex practices and positions (pg 189-191), sex toys (pg 192) and sexting on page 194 and 195. This book states that, "sexting is sending messages to flirt and seduce other people, which can be really fun and exciting." There are graphic and sexual pictures throughout this book, which are meant to stimulate the reader.

The takeaway is that while these books could possibly have some aspects that you agree could be beneficial knowledge such as information about contraceptives, body image, and abusive relationships, there are many sections within these books that provide information too mature for minors and are in fact, harmful. And it goes without saying you cannot dissect a book and only put a portion on the shelf.

House Bill 1205 clearly outlines what are objectionable materials for minors and presents a list that eliminates harmful visuals and vocabulary from juvenile books. This is not a breach on anyone's first amendment right; the first amendment does not protect any aspects of child pornography or obscenity. It is clearly stated that, "Obscenity is not protected under First Amendment rights to free speech" --Reno v. ACLU, 521 U.S. 844 (1998)

According to the Department of Justice, "Federal law strictly prohibits the distribution of obscene matter to minors. Any transfer or attempt to transfer such material to a minor under the age of 16,

including over the Internet, is punishable under federal law. It is also illegal to use misleading website domain names with intent to deceive a minor into viewing harmful or obscene material. For example, using a cartoon character or children's television program in the domain of a website that contains harmful or obscene material may be punishable under federal law.

In addition, visual representations, such as drawings, cartoons, or paintings that appear to depict minors engaged in sexual activity and are obscene are also illegal under federal law.

It is important to note that the standard for what is harmful to minors may be different than the standard for adults, and offenders convicted of obscenity crimes involving minors face harsher penalties than if the crimes involved only adults .”

Our century code provides definitions for obscenity and promoting obscenity to minors; these books qualify under our century code, except for the clause at the end that is currently allowing libraries to purchase and provide these books. The explicit language that I've had to use today is unfortunate, but necessary, so that you can hear what is being deemed appropriate for children. We need to see a change because this is what's in our libraries today for our youth and I hope that this provides some clarity on what is out there; not just in my library but throughout the state.

## STATE LAWS

The concern growing from these books has reached national news and has spurred other states to create bills in order to preserve the innocence of our youth. The following bills have passed in other states:

**Tennessee House Bill 2454 and Senate Bill 2292** redefines “obscene” to include material that has educational value as well as changing internet policy to ensure that users cannot access certain obscene material.

**Tennessee** also passed the “Age Appropriate Materials Act of 2022” with **Senate Bill 2407**

**Utah HB374** eliminates the dual standard between electronic and printed obscene content in Utah schools by enacting a protective policy that requires removal of this content from school settings for the health and safety of our children.

**Missouri Senate Bill 775** provides that if a person commits the offense of providing explicit sexual material to a student and if such person is affiliated with a public or private elementary or secondary school in an official capacity and, knowing of its content and character, such person provides, assigns, supplies, distributes, loans, or coerces acceptance of or the approval of the providing of explicit sexual material to a student or possesses with the purpose of providing, assigning, supplying, distributing, loaning, or coercing acceptance of or the approval of the providing of explicit sexual material to a student is a Class A misdemeanor.

**Florida House Bill 1467** has placed stringent rules for their school libraries requiring that book selections are to be free of pornography and prohibited materials harmful to minors, suited to student needs, and appropriate for the grade level and age group.

**Oklahoma Senate Bill 3702** says that employees of school districts, charter schools, virtual charter schools, state agencies, public libraries, and universities shall not be exempt from prosecution for willful violations of state law prohibiting indecent exposure to obscene material or child pornography as provided in Section 1021 or Title 21 of the Oklahoma Statutes.

There is nationwide concern and a growing alarm as more and more books are being brought to the attention of the people. Because of this, laws are springing up all over the country; we are not the only state to feel the necessity of providing protective restrictions to certain material for minors. This is no different than current laws restricting minors from consuming alcohol or even entering an adult store; these are restrictions in place for a minor's mental health and well being.

-There are several bills that are currently being introduced throughout the country:

**Minnesota House Bill 248** states that a library in a public school building must not contain any pornographic material. A library in a public elementary school must not contain any sexually explicit content.

**Wyoming House Bill 0087** redefines "Child pornography to mean any visual depiction, including any photograph, film, video, picture, cartoon, drawing, computer or computer-generated image or picture, whether or not made or produced by electronic, mechanical or other means, or any other form of depiction of explicit sexual conduct.

## CONCLUSION

The first time I went into the children's section of the Dickinson Library I brought home seven books that I was alarmed by. The second time, a group of ladies went with me and we found close to thirty books between the juvenile and small children's play area. I finally used the Odin library catalog and began a list of any book for minors in my library that were inappropriate. I amassed a list of 107 books. I also realized that other libraries in our state have books which have been removed in other regions of our nation. There is a reason this has become a nationwide concern and has received so much attention. There is a reason we are here today and I respectfully request a do pass recommendation from this committee.

Mr. Chairman and members of the committee, that concludes my testimony and while I didn't show any pictures, I did bring two of the books I've mentioned today and I would be happy to pass them out to you if you would like to see the graphics for yourselves as well as answer any questions you may have.