

Ways and Means Committee

SB 738 Freedom to Read Act

February 23, 2024

Dear Chairman Feldman, Vice Chair Kagan, and Committee Members:

As a Maryland resident, I am writing to ask your favorable support for **SB 738 Freedom to Read Act**. This bill is crucial to preserving the freedom for students and library users to access information without interference from a vocal minority who wish to censor books because their ideologies do not agree with the subject matter of some library materials. The bill will do the following:

- Establish standards for the purchase of library materials
- Protects library materials from deliberate theft
- Protects library staff from retribution for simply doing their jobs as spelled out in the state standards and their library's policies and procedures
- Protects libraries that defend against unconstitutional attempts to censor collections and ban books

Despite the hyperbolic cries of censors who want to neuter library collections to fit their own narrow views of what they define as "age appropriate", libraries do not collect obscene materials. This is a legal term, defined by the Supreme Court in the Miller case (1973), and SB 738 does not allow obscene or pornographic materials to be purchased for library collections. Nor does the bill dictate topics or titles that must be purchased by libraries, or force people to check out materials they find objectionable. Finally, SB 738 does not establish standards or principles dictated by groups or organizations outside of Maryland.

While opponents of the bill may argue that the use of the term "book banning" for what the vocal minority are trying to achieve is inaccurate, this definition of the term from the Free Speech Center at Middle Tennessee State University succinctly sums up exactly what groups like Moms for Liberty, the Pacific Justice Institute, and individuals who agree with the stances of those groups are trying to do: "Book banning, a form of censorship, occurs when private individuals, government officials, or organizations remove books from libraries, school reading lists, or bookstore shelves because they object to their content, ideas, or themes."

SB 738 simply codifies into law a requirement that libraries purchase materials that serve a diverse user base. This bill recognizes that it is imperative for ALL library users in the state of Maryland to be able to find materials that interest them, and that libraries contain materials in which they can see themselves and learn about other people and ideas.

Unfortunately, the past few years has seen an explosion of efforts across the country by organized groups and individuals who want to ban books from school and public libraries simply because the books contain issues and characters dealing with the LGBTQ+ and BIPOC communities. In fact, of the top thirteen books to be challenged and banned in 2022 according to the American Library Association Office for Intellectual Freedom, seven of them have an LGBTQ+ theme or characters. The argument that censors are not specifically targeting the LGBTQ+ community is simply false. As leaders in the state of Maryland, I urge you to proactively defend the public's first amendment right to access information by recommending SB 738 for passage.

Respectfully,

Lloyd M. Jansen