

House Bill 25 - UNFAVORABLE **Ways and Means Committee**

Honorable Chair, Vice Chair, and Members of the Ways and Means Committee;

I ask that you give House Bill 25, regarding the prohibition of "sexually explicit materials" in public school libraries and media centers, an unfavorable report.

"Graphic" and "obscene" are not defined in this bill. Both "graphic" and "obscene" are subjective terms. You need only look at the repeatedly banned children's book In the Night Kitchen by Maurice Sendak to see that some people have extreme definitions of "graphic" and "obscene" Anne Frank's Diary has been challenged on the basis that it's sexually explicit, as have Brave New World and 1984, ironically.

I have similar concerns with the term "age-appropriate." Who gets to decide what is "age-appropriate" and what isn't? If we note an age-range for a book, will we be determining its "age-appropriateness" by the youngest or the oldest on the range? Will the libraries be sectioned off by age and policed? Will 5th graders only have access to books that are "age-appropriate" for Kindergartners in schools where there aren't resources for such policing, leaving under-served communities with yet another obstacle to education? We should instead be looking at the American Library Association's website, where they interpret the Library Bill of Rights. Here are two excerpts:

"School and public libraries are charged with the mission of providing services and resources to meet the diverse interests and informational needs of the communities they serve. Services, materials, and facilities that fulfill the needs and interests of library users at different stages in their personal development are a necessary part of providing library services and should be determined on an individual basis. Equitable access to all library resources and services should not be abridged based on chronological age, apparent maturity, educational level, literacy skills, legal status, or through restrictive scheduling and use policies."

"Children and young adults unquestionably possess First Amendment rights, including the right to receive information through the library in print, sound, images, data, social media, online applications, games, technologies, programming, and other formats. Constitutionally protected speech cannot be suppressed solely to protect children or young adults from ideas or images a legislative body believes to be unsuitable for them. Libraries and their library governing bodies should not resort to age restrictions in an effort to avoid actual or anticipated objections, because only a court of law can determine whether or not content is constitutionally protected."

For these reasons, and because censorship is inherently anti-American, I urge you to give House Bill 25 an Unfavorable report. Thank you for your consideration.

Sincerely,
Debi Jasen,
Pasadena, MD