

**WRITTEN TESTIMONY: Senate Bill 738 Cross-filed with HB 785**

**Title: Freedom to Read Act Hearing**

**Date: February 23, 2024**

**Position: UNFAVORABLE**

**Committee: Education, Energy and Environment**

I hereby request an unfavorable report for SB 738. The “Freedom to Read Act,” SB 738 will remove freedom from local school libraries and mandate state standards, thus contradicting its title. These state standards allow “diverse” and “inclusive” materials to include sexually explicit materials. There is no obscenity rating system for literature and library materials as there is for movies; and a more useful legislation would be to develop such a rating system and a curation procedure for school libraries. Absent defined standards for obscene materials, the American Library Association and MD State Standards allow sexually explicit materials in our school libraries now. <https://www.nbcnews.com/news/us-news/american-library-association-president-marxist-lesbian-rcna98254>

Sexually explicit materials have been accessed by children in our school libraries based on these standards. Adoption of this legislation removes freedom and interferes with parents’ rights to determine whether and how to provide their children sexually explicit information that they choose. According to Rasmussen Research, the majority of voters are concerned that school age children are being exposed to sexual material that is not age appropriate.

“Sixty-nine percent (69%) of voters believe books containing explicit sexual depictions of sex acts, including homosexual sex, should not be present in public high school libraries. The majority opposed to sexually explicit books in public school libraries rises to 79% for middle schools and 85% for elementary schools.”

[https://www.rasmussenreports.com/public\\_content/politics/partner\\_surveys/voters\\_against\\_obscene\\_books\\_in\\_public\\_schools](https://www.rasmussenreports.com/public_content/politics/partner_surveys/voters_against_obscene_books_in_public_schools)

SB 738 is contradictory to SB0355 which prohibits display of obscene material to minors. Graphic and sexually explicit materials are not age appropriate and do not contribute positively to education and thus are not appropriate to be in our public school libraries. Pornography framed as inclusive and diverse is still pornography. Magazines such as Playboy and Hustler would never be considered for a school library, and neither should materials of the types we have seen already in school libraries.

The hidden agenda to sexualize our children does exist – including to allow children to make life-altering decisions without parental awareness. There are many laws which support parental

rights in these areas. Those who push unlimited access to graphic and sexually explicit materials in schools deny this agenda. Let's assume positive intent. If these materials are being promulgated without such an agenda, then surely everyone would agree with SB 738, that display of obscene materials is prohibited for minors. When these materials that are in our libraries cannot even be read in a public meeting due to embarrassment and obscenity, it is a clear indication that the materials describing or depicting sexual acts are not appropriate for our children.

I urge you to look past the accusations of "book banning" which are not applicable here. Parents are free to obtain any materials they choose when discussing these personal topics. The books on the American Library Association's list of most challenged books are available in our public libraries and can be purchased freely.

This is simply a question of age and educational appropriateness for materials in our schools, and allowing each school district and family to make those choices.

Please respect parents' rights for their children and preserve local standards for school libraries. This legislation is contrary to the views of the majority of voters.

I request an unfavorable report for SB 738.

Respectfully submitted,

*Terri Kocher*

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Grandparent and parent

Member Harford County

Board of Education