

**Opinion: “The Post Register”; March 25, 2023**

**Signed by Sen. Van Burtenshaw, Rep. Marco Erickson, Rep. Rod Furniss, Rep. Dustin Manwaring, Rep. Stephanie Mickelsen, Rep. Britt Raybould, Rep. Jerald Raymond, Sen. Julie VanOrden, Sen. Kevin Cook and Rep. Jon Weber.**

## **“HB 314 Would Censor Library Books”**

Last week, the Idaho House debated House Bill 314. Concerned parents argue that this bill will keep pornography away from minors in Idaho libraries. **The challenge with this claim is that such materials are not allowed in Idaho libraries.** That said, you may find books in your local library that don't support your values or that you don't want your children to read.

You have every right as a parent to monitor and manage what your child reads. It's why your child can't get a public library card without your permission. It's why you can limit the books your child can check out of the public library. It's also why schools must respect the request to restrict your student's access to the school library.

**But under the First Amendment, we must be careful not to cross the line into censorship. The Supreme Court established an obscenity test in Miller v. California (1973) that still governs our laws today. Unless a book, “taken as a whole, lacks serious literary, artistic, political, or scientific value,” it does not qualify as obscene. The First Amendment protects it from censorship. Even if you find a book on a library shelf containing material you find offensive, the Constitution protects it unless it passes the test.**

Of course, we don't believe that every book belongs in the hands of children. It's why libraries create different sections for adults and children. **Many libraries block kids from the adult sections unless accompanied by a parent or guardian.**

It's also why libraries have challenge policies that allow us to request the removal of certain books to another section or from the library entirely. A process exists for the community to participate in what materials end up on our library shelves. But we don't have a right to censor or block other library patrons from books we personally don't like.

Lost in this debate are the books themselves. Yes, we've seen the snippets floating around the internet. We would be upset if an unaccompanied child stumbled across these books. But we owe it to our kids to teach them how to navigate this world safely. Books are a way to see worlds that don't always look like our own. They provide a window into the experiences of other people. Sometimes, they offer a mirror that helps us learn more about ourselves. Books are magic.

But taking kids to the library looks quite a bit like taking kids to the swimming pool. Even with a lifeguard present, we'd never consider leaving children alone at the pool until they're older and know how to swim. The same holds true with libraries. **Our librarians do a fantastic job helping patrons do everything from finding books to applying for a new job. But it's not their job to read parents' minds and make the judgment call about what books you consider appropriate for your kids.**

In a rush to protect children, which we all want, we've neglected the most essential part of the debate about what does belong in libraries. Parents belong in libraries with their kids. Parents should make the ultimate decision about a child taking a book home. **Under our existing policies and law, both things are possible without ever censoring a book or threatening a library with a lawsuit.**

## Idaho Parents Against Bad Books “dissected” this opinion piece, sequentially:

### 1.

**“Concerned parents argue that this bill will keep pornography away from minors in Idaho libraries. The challenge with this claim is that such materials are not allowed in Idaho libraries. That said, you may find books in your local library that don’t support your values or that you don’t want your children to read.”**

According, to The Miller Test (promulgated by the U. S. Supreme Court in its Miller v. California [1973] decision and subsequent, **precedent-setting cases**), there are three criteria for determining whether speech can be classified as “obscenity” or “harmful for minors”:

1. The average person, applying contemporary **community standards**, would find that the work, taken as a whole, appeals to the prurient interest of minors;
2. The work depicts or describes, in a manner patently offensive with respect to minors, sexual conduct specifically defined by **applicable state law**; and
3. The work, taken as a whole, **lacks** serious literary, artistic, political, **or** scientific value for minors.

Paragraph #1: In answer to this “challenge”, under Section 8-1513, Idaho Code, current state law prohibits the promotion, distribution, or dissemination of material harmful to minors. This adheres to Miller Test #2 criteria. Their sentence about “such materials are not allowed in Idaho libraries” is, therefore, correct.

However, according to the Report, “Pornography in Public Schools and Libraries”, written by the author of HB 314, Blaine Conzatti of the Idaho Family Policy Center...

***“There are more than 50 public schools and community libraries across the State of Idaho that currently making obscene materials available to minor children.”***

**Blaine Conzatti, President  
Idaho Family Policy Center  
February 27, 2023**

Nevertheless, making a law and enforcing a law in the State of Idaho are two entirely different things.

Case in point: On April 28, 2021, Governor Brad Little signed HB 377, which bans public institutions from teaching Critical Race Theory (CRT). What did the educators do? They did what they always do: work around the system. As shown in an undercover video made by Accuracy in Media in March of 2022, public school officials admitted, on camera, to thwarting the system by teaching CRT but under different “buzz” words, such as “mental health”, and “equity”.

So, in answer to the above claim that “such materials are not allowed in Idaho libraries,” we must reply that there are 53 books in the Idaho Falls Public Library, for example, that have either been...

- banned in a state in the U.S. or by Idaho and/or Utah School Boards;
- rated “not for minors” or “aberrant(!)” by parent-led book-rating organizations; and/or
- placed on the 2022 List of American Library Association’s Most Challenged Books.

Additionally, public libraries in the State of Idaho have an “affirmative defense”, meaning they cannot be charged, criminally, under obscenity laws. Translated, this means they are exempted in state law from prosecution under the

aforementioned Section 8-1513, Idaho Code (prohibition of promotion, distribution, or dissemination of material harmful to minors) and shielded from adhering to the current law.

2.

***“But under the First Amendment, we must be careful not to cross the line into censorship. The Supreme Court established an obscenity test in Miller v. California (1973) that still governs our laws today. Unless a book, “taken as a whole, lacks serious literary, artistic, political, or scientific value,” it does not qualify as obscene. The First Amendment protects it from censorship. Even if you find a book on a library shelf containing material you find offensive, the Constitution protects it unless it passes the test.”***

***Censorship*** is defined as “the suppression or removal of writing, artistic work, etc. that are considered obscene politically unacceptable, or a threat to security.”

Relocating books, as Parents Against Bad Books suggests, is not censorship. We suggest that those books adjudged as “obscene”, according to the Miller Test, be placed behind a desk, staffed by a librarian, requiring an ID, and proving one’s age to be 18 or older, to view or check out a book.

***“Unless a book, ‘taken as a whole, lacks serious literary, artistic, political, or scientific value.’*** (above) addresses criteria #3 of the Miller Test. Separating the three standards excludes two-thirds (below) of the test for determining whether speech can be classified as “obscenity” or “harmful for minors”:

1. ***“contemporary community standards” and***
2. ***“applicable state law”.***

Without addressing all three requirements, this Opinion point can, essentially, be considered moot.

3.

***“Many libraries block kids from the adult sections unless accompanied by a parent or guardian.”***

Although this is a commendable motivation, access to Library Resources and Services for Minors, an interpretation of the Library Bill of Rights (ALA’s basic policy concerning access to information) states that,

**“Librarians and governing bodies should maintain that parents  
—and only parents—have the right and the responsibility to  
restrict the access of their children—and only their children—  
to library resources.”**

**Library Resources and Services for Minors  
Library Bill of Rights  
American Library Association**

4.

***“It’s also why libraries have challenge policies that allow us to request the removal of certain books to another section or from the library entirely. A process exists for the community to participate in what materials end up on our library shelves. But we don’t have a right to censor or block other library patrons from books we personally don’t like.”***

The “process”, mentioned in the above paragraph, is called “Request for Reconsideration of Materials”. The Parents Against Bad Books Team read 21 of the 53 aforementioned books; submitted their forms on July 28<sup>th</sup> to Robert Wright, Library Director; and on September 19<sup>th</sup>, Mr. Wright replied...

***“...the library does not place restrictions on what materials a child can check out.”***  
**Robert Wright, Director**  
**Idaho Falls Public Library**

**ALL 21 BOOKS WERE REJECTED FROM “RECONSIDERATION”.**

Additionally, Blaine Conzatti, President of Idaho Family Policy Center, stated,

**“From what I have seen from our travels throughout the State of Idaho, there appear to have been NO books/materials ever ‘reconsidered’ in the entire State, utilizing this process.”**

A question PABB had, given this library rule:

***“Then, why do you have a process that allows the public to request reconsideration of the library’s materials, if no action is ever taken on those requests, other than outright rejection?”***

**5.**

**“Our librarians do a fantastic job helping patrons do everything from finding books to applying for a new job. But it’s not their job to read parents’ minds and make the judgment call about what books you consider appropriate for your kids.”**

The quote from Governor Little in his veto letter of HB 314 said he was...

***“...not concerned about harmful content at the State’s libraries...”***

With at least 53 “bad” books at the Idaho Falls Public Library, and 50 libraries in the State currently offering “obscene” books to the kids, at least approximately 2,650 “bad” books would seem to be reason for concern.

**6.**

**Under our existing policies and law, both things are possible without ever censoring a book or threatening a library with a lawsuit.**

As previously stated, state libraries, along with museums and colleges/universities, in the State of Idaho are exempted from State law. So, the status quo, is working well? What about the over 2,500 “bad” books that reside within the State? Read the books; read them to your children; then, let’s talk!

## IT'S ALL ABOUT THE PARENTS, AND THEIR KIDS

The parents and grandparents ask:

- “Is it even rational to continue to blame the parents, solely, especially in a large-family community such as Bonneville County, for the bad books that reside in the State’s public schools and libraries?”
- “Is it fair for the Governor, those legislators who signed this Opinion piece (and who are not willing to pass a viable library bill for our kids), as well as the public library community to ask the parents **to do their job for them?**”
- “Is it reasonable for us parents and grandparents, who pay hefty tax dollars to keep the State’s libraries sustainable for our children, to continue to try to work with the Governor, and his dissenting cronies, when they are **not willing to work together** with us to offer a viable answer to making our libraries safe havens for our children?”
- “Have you, Governor Little, the southeastern Idaho Republicans (above), members of the Idaho Falls City Council, and/or the Idaho Falls Public Library personnel, read **any** of the books on the attached list?”
- “Would you be willing to work with Parents Against Bad Books’ parents to read the 53 books and apply industry-standard, U. S. Supreme Court-backed Miller Tests to all 53 books? The ultimate goal: to attain jointly-arrived-at data that can be used to objectively “relocate” (NOT BAN) those books that are deemed “unsafe” to a designated space in the library. Again, the books would then be placed behind a librarian, who can check IDs and keep “obscene” and/or “harmful-to-minors” books, which have been mutually agreed upon by all parties, away from our young people, until they are of-age and ready to read the books, themselves?”

**In summary: Communication reduces misunderstandings.**

If the aforementioned legislators had EVER participated in the following, they may not have written the aforementioned, “fact-less” Opinion piece:

- Attended any of the IFPL Board meetings, where PABB parents spoke on behalf of their kids;
- Read any monthly Parents Against Bad Books updates sent to them;
- Joined the parents at the “Inform-the-Parents” weekly events at the Library during the summer, to which they were invited;
- Met face-to-face with Parents Against Bad Books volunteers;
- Read, or replied, to any of the correspondence, and other communication initiated by PABB; or
- Read any of the above books, which is the foremost topic of the PABB program.

Building strong relationships comes from sharing information, ideas, and feelings. Opportunities to collaborate and develop, and maintain, relationships exist when information is conveyed.

***There is no sound when only one hand is clapping.***

**“HARMFUL” BOOKS IN THE IDAHO FALLS PUBLIC LIBRARY**

*July 3, 2023*

**REVIEWS/RATINGS/COMMENTS**

“13 Reasons Why” Asher, Jay	BookLooks.org Review Rating: 3/5 – “Not for minors”
“Abuela” Dorros, Arthur	Banned – Florida (author promotes CRT)
“A Court of Frost and Starlight” Maas, Sarah J.	BookLooks.org Review Rating: 4/5 – “Not for minors” Banned – Utah; on “Top 13 Most Challenged Books of 2022” list by American Library Association (ALA);
“A Court of Mist and Fury” Maas, Sarah J.	BookLooks.org Review Rating: 4/5 – “Not for minors”
“A Court of Silver Flames” Maas, Sarah J.	BookLooks.org Review Rating: 4/5 – “Not for minors”
“A Court of Thorns and Roses” Maas, Sarah J.	BookLooks.org Review Rating: 4/5 – “Not for minors”
“A Court of Wings and Ruin” Maas, Sarah J.	BookLooks.org Review Rating: 4/5 – “Not for minors”
“All Boys Aren’t Blue” Johnson, George M.	BookLooks.org Review Rating: 4/5 – “Not for minors” On “Top 13 Most Challenged Books of 2022” list by American Library Association (ALA);
“Assassination Classroom” Matsui, Yusei	Assassination Classroom Volumes 1 through 7; Volume 11 - BookLooks.org Review Rating: 3/5 – “Not for minors”
“A Thousand Acres” Smiley, Jane	Banned in Kuna, Idaho (sex and violence); 2013 – Removed from Katy, TX Independent School District required reading list following parental complaints about references to sex and violence; banned in Lynden, Washington .
“Beloved” Morrison, Tony	BookLooks.org Review Rating: 3/5 – “Not for minors”
“Between Us and Abuela” Dorros, Arthur	Banned - Florida
“Breathless” Niven, Jennifer	BookLooks.org Review Rating: 4/5 – “Not for minors” Banned – Alpine Utah School District
“City of Heavenly Fire (The Mortal Instruments, #6)” Clare, Cassandra	Banned – Nampa School Board.
“Clockwork Princess” Clare, Cassandra	BookLooks.org Review Rating: 3/5 – “Not for minors” Banned - Nampa School Board.

<p><b>“Crank”</b> Hopkins Ellen</p>	<p>BookLooks.org Review Rating: 3/5 – “Not for minors” On “Top 13 Most Challenged Books of 2022” list by American Library Association (ALA) Banned - Nampa School Board.</p>
<p><b>“Damsel”</b> Arnold, Elana K.</p>	<p>BookLooks.org Review Rating: 4/5 – “Not for minors” Banned - Utah</p>
<p><b>“Drama”</b> Telgemeier, Raina</p>	<p>BookLooks.org Review Rating: 2/5 – “Young Adult Graphic Novel” Banned - Nampa School Board.</p>
<p><b>“Dreaming in Cuban: A Novel”</b> Garcia, Cristina</p>	<p>BookLooks.org Review Rating: 3/5 – “Not for minors” Adjudged “obscene” by Idaho Family Policy Center</p>
<p><b>“Eleanor and Park”</b> Rowell, Rainbow</p>	<p>BookLooks.org Review Rating: 3/5 – “Not for minors” Banned - Nampa School Board.</p>
<p><b>“Extremely Loud and Incredibly Close”</b> Foer, Jonathan Safran</p>	<p>BookLooks.org Review Rating: 3/5 – “Not for minors” Banned - Nampa School Board.</p>
<p><b>“Fallout”</b> Strasser, Todd</p>	<p>BookLooks.org Review Rating: 3/5 – “Not for minors” Banned - Utah</p>
<p><b>“Flamer”</b> Curato, Mike</p>	<p>BookLooks.org Review Rating: 3/5 – “Not for minors” On “Top 13 Most Challenged Books of 2022” list by American Library Association (ALA)</p>
<p><b>“Forever”</b> Blume, Judy</p>	<p>BookLooks.org Review Rating: 4/5 – “Not for minors” On “Top 13 Most Challenged Books of 2022” list by American Library Association (ALA)</p>
<p><b>“Fry Bread: A Native American Family Story”</b></p>	<p>Banned – Florida Northampton (PA) Area School District objected to “The Conscious Kid” non-profit org. of which “Fry Bread” is a part, because of Marxist critical race theory promotion.</p>
<p><b>“Fun Home: A Family Tragicomic”</b> Bechdel, Alison</p>	<p>BookLooks.org Review Rating: 4/5 – “Not for minors”</p>
<p><b>“Gender Queer: A Memoir”</b> Kobabe, Maia</p>	<p>BookLooks.org Review Rating: 4/5 – “Not for minors” Adjudged “obscene” by Idaho Family Policy Center; On “Top 13 Most Challenged Books of 2022” list by American Library Association (ALA)</p>
<p><b>“It’s Perfectly Normal”</b> Harris, Robie</p>	<p>BookLooks.org Review Rating: 3/5 – “Not for minors” Adjudged “obscene” by Idaho Family Policy Center Banned - Nampa School Board</p>
<p><b>“”L8r G8r”</b> Myracle, Lauren</p>	<p>BookLooks.org Review Rating: 3/5 – “Not for minors” Banned - Nampa School Board.</p>
<p><b>“Lawn Boy”</b> Evison, Jonathan</p>	<p>BookLooks.org Review Rating: 3/5 – “Not for minors” On “Top 13 Most Challenged Books of 2022” list by American Library Association (ALA);</p>
<p><b>“Leah on the Offbeat”</b> Albertalli, Becky</p>	<p>Banned - Nampa School Board</p>
<p><b>“Looking for Alaska”</b> Green, John</p>	<p>BookLooks.org Review Rating: 3/5 – “Not for minors” On “Top 13 Most Challenged Books of 2022” list by American Library Association (ALA) Banned - Nampa School Board.</p>



<p><b>“Me and Earl and the Dying Girl”</b> Andrews, Jesse</p>	<p>BookLooks.org Review Rating: 3/5 – “Not for minors” On “Top 13 Most Challenged Books of 2022” list by American Library Association (ALA)</p>
<p><b>“Out of Darkness”</b> Perez, Ashley Hope</p>	<p>BookLooks.org Review Rating: 3/5 – “Not for minors” On “Top 13 Most Challenged Books of 2022” list by American Library Association (ALA) Banned - Nampa School Board.</p>
<p><b>“Radiant Child”</b> Step toe, Javaka</p>	<p>Pen America – “One of the most banned picture books of the 2021-2022 school year.”</p>
<p><b>“Shine”</b> Grabenstein, J. J. &amp; Chris</p>	<p>BookLooks.org Review Rating: 4/5 – “Not for minors” Banned – Utah and Alpine Utah School District</p>
<p><b>“Slaughterhouse-Five”</b> Vonnegut, Kurt</p>	<p>BookLooks.org Review Rating: 4/5 – “Not for minors” Banned – Florida</p>
<p><b>“Sold”</b> Gallagher, Diana G.</p>	<p>BookLooks.org Review Rating: 5/5 – “Aberrant content” Banned - Nampa School Board.</p>
<p><b>“Speak”</b> Anderson, Laurie Halse</p>	<p>BookLooks.org Review Rating: 3/5 – “Not for minors” Banned - Nampa School Board.</p>
<p><b>“Sula”</b> Morrison, Toni</p>	<p>ALA regularly includes this work on its annual list of most banned and challenged books.</p>
<p><b>“The 57 Bus”</b> Slater, Dashka</p>	<p>BookLooks.org Review Rating: 2/5 – “Teen guidance; young adult graphic novel” Banned - Nampa School Board</p>
<p><b>“The Absolutely True Diary of a Part-Time Indian”</b> Alexie, Sherman</p>	<p>BookLooks.org Review Rating: 2/5–“Teen guidance; young adult graphic novel” On “Top 13 Most Challenged Books of 2022” list by American Library Association (ALA) Banned - Nampa School Board.</p>
<p><b>“The Bluest Eye”</b> Morrison, Toni</p>	<p>BookLooks.org Review Rating: 4/5 – “Not for minors” On “Top 13 Most Challenged Books of 2022” list by American Library Association (ALA) Banned - Nampa School Board.</p>
<p><b>“The Color Purple”</b> Walker, Alice</p>	<p>“Parents are the most common group attempting to remove this novel from schools. There have been different reasons for the book being banned, including religious objections, homosexuality, violence, African history, rape, incest, drug abuse, explicit language, and sexual scenes.” <a href="https://bannedbooks.library.cmu.edu/alice-walker-the-color-purple/">https://bannedbooks.library.cmu.edu/alice-walker-the-color-purple/</a></p>
<p><b>“The Handmaid’s Tale”</b> Atwood, Margaret</p>	<p>BookLooks.org Review Rating: 4/5 – “Not for minors” Banned - Nampa School Board.</p>
<p><b>“The Haters”</b> Andrews, Jesse</p>	<p>BookLooks.org Review Rating: 4/5 – “Not for minors” Banned - Utah</p>
<p><b>“The Kite Runner”</b> Hosseini, Khaled</p>	<p>BookLooks.org Review Rating: 4/5 – “Not for minors” Banned - Nampa School Board.</p>
<p><b>“The Perks of Being a Wallflower”</b> Chbosky, Stephen</p>	<p>BookLooks.org Review Rating: 4/5 – “Not for minors” On “Top 13 Most Challenged Books of 2022” list by American Library Association (ALA); Banned - Nampa School Board.</p>
<p><b>“The Prince and the Dressmaker”</b> Wang, Jen</p>	<p>BookLooks.org Review Rating: 2/5–“Teen guidance; young adult graphic novel” Banned – Nampa School Board.</p>



"Tilt" Hopkins, Ellen	BookLooks.org Review Rating: 4/5 – "Not for minors" Banned – Utah
"TTYL" Myracle, Lauren	BookLooks.org Review Rating: 2/5—"Teen guidance; young adult graphic novel" Banned – Utah
"Twisted" Anderson, Laune Halse	BookLooks.org Review Rating: 2/5—"Teen guidance; young adult graphic novel" Banned – Utah
"What Girls are Made Of" Arnold, Elana K.	BookLooks.org Review Rating: 4/5 – "Not for minors" Banned – Utah

## Books and Materials Review/Rating Groups

### BookLooks.org - Who We Are

- Located in Brevard County, Florida, we are concerned parents who have been frustrated by the lack of resource material for content-based information regarding books accessible to children and young adults.

We read EVERY book and make no money and seek no recognition in our efforts.

***"We believe "sunlight" is the best disinfectant, and parents should have the information at their disposal to make informed decisions about the content their children consume."***

We are not affiliated with any other groups, but we do support several groups by letting them use our materials and by taking suggestions for what we should review. If you would like to use or distribute our materials, or have books you'd like for us to take a look at, please don't hesitate to reach out:

[www.booklooks.org](http://www.booklooks.org)

### Utah Parents United - Who We Are

- Utah Parents United (UPU) – Located in Farmington, Utah, UPU's "LaVerna in the Library's" Facebook page is a community of concerned parents who share ideas and strategies to protect their children. It also highlights sexually explicit books that have been found in school libraries. UPU also sponsors "RatedBooks.org", a searchable website that has catalogued the rated reports of over 300 books that are commonly found in public school libraries.

[utahparentsunited.org](http://utahparentsunited.org)

<https://www.utahparentsunited.org>

### American Library Association (ALA) – Recommended Public Library Reviewing Source in United States

- One of the ALA's top recommended library reviewing sources, **which a majority of U.S. public libraries now utilize**, is the "New York Times Book Review" organization, a subsidiary of the "The New York Times Company". Interestingly, two writers from the "New York Times" newspaper developed the 1619 Project, which declared that a group of "twenty and odd" captive Africans arrived in the Virginia Colony in 1619. And, for that reason, they challenged the idea that American history began with the signing of the Declaration of Independence in 1776 and that the United States, therefore, was founded in 1619—not 1776. Good for our kids?!



“Exposure to pornography harms children and youth by:

- ✚ normalizing sexual violence,
- ✚ creating unrealistic expectations for intimate partners and relationships, and
- ✚ increasing the risk of addiction.”

American Bar Association  
2023

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### DISCLAIMER

*The books enumerated, above, together with their respective reviews/ratings/comments, are for informational purposes only and not to be quoted as emanating from PABB. This data is obtained from separate, independent sources and transmitted to the public on a strictly need-to-know basis.*

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Parents Against Bad Books, an affiliate of Idaho Parents for Educational Choice  
*...removing children's access to harmful books...*

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[www.idahoparentsforeducationalchoice.com](http://www.idahoparentsforeducationalchoice.com)  
(Section 2: “Parents Against Bad Books”)