



Testimony for the Senate Education, Energy, and the Environment Committee

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SB 738 - Freedom to Read Act

FAVORABLE

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The ACLU of Maryland (ACLU) supports SB 738 - Freedom to Read Act, which would establish a set of standards that all state-funded libraries — including libraries in public schools — should follow. These standards will ensure that:

1. Libraries will provide access to materials, services, and resources for the interest, information, and enlightenment of the public.
2. Libraries will not remove or exclude books and educational materials in public libraries and schools based on the origin or views of the author or because of partisan or doctrinal disapproval.
3. Librarians and media specialists are protected from being demoted, disciplined, or retaliated against for acting in a manner consistent with the state standards for libraries.

Nearly 3,500 books were banned nationwide during the 2022-2023 school year, which represents a 33% increase from the prior year.¹ Overwhelmingly, book bans have targeted books about people of color, race or racism, and LGBTQ+ themes. Around the country, punitive laws have passed in certain states, forcing school districts to restrict access to certain books.

The ACLU believes that libraries in the community and public schools play an essential role in upholding the principles and ideals of America's democracy. Libraries serve to ensure that adults and children have access to a wide swath of information from a variety of perspectives to foster knowledge and understanding. A core tenet of our democracy is the freedom to access information and discuss and debate ideas, including those that some may find uncomfortable or disagreeable.

¹ Meehan, Kasey et al. *Banned in the USA: The Mounting Pressure to Censor*. Pen America. <https://pen.org/report/book-bans-pressure-to-censor/>

Book bans are a form of censorship that violates people's First Amendment right to access information. Further, book bans that target people of color and LGBTQ+ individuals and communities are discriminatory. Barring access to certain perspectives of history and the lived experiences of those who have been marginalized is antithetical to America's guarantee of free speech. SB 738 will protect all Marylanders' access to information and prevent discrimination against materials pertaining to marginalized people and communities.

For the foregoing reasons, the ACLU requests a favorable vote on SB 738.

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