



March 20, 2025

To: Kent Memorial Library Commission, Policy Subcommittee Special Meeting Attendees

Re: Funding and Content Independence Policy & Youth Collection Acquisition and Retention Policy

Dear Distinguished Committee Members,

I write to express dismay at the “Youth Collection Acquisition and Retention Policy” and “Funding and Content Independence Policy,” on the agenda for consideration at this evening’s meeting. Please vote against the proposed policies and turn away from any urge you may have to punch down on LGBTQIA+ youth.

Remarkably similar policy language has been provided to boards like this one in other places in the region and nationwide. These policies further a skewed viewpoint — that recognizing gender identity and expression as a spectrum is somehow ‘ideological’ — and harm Connecticut by pretending that LGBTQIA+ youth don’t exist, or, that they are to be shamed rather than treated with the same dignity accorded other children.

We make this observation because the draft policy you are considering is an advocacy document reading more like an amicus brief than a sound piece of policymaking seriously weighing the intellectual and emotional development of Suffield’s youth. Typically, municipal policies do not sprain ligaments advancing legalistic arguments that youth suicide is overstated, that barring access to library books is not *technically* censorship, that librarians must come to heel, or that the purported political views of a past American Library Association leader are relevant to whether Suffield’s children may embark upon a life of learning and development through reading. Should you find yourselves voting on the basis of whether you think trans kids are not threatened enough these days, we urge you to take a quiet minute and rediscover the kindness within you that would—we are absolutely sure—reflexively cause you to intervene if you saw a group of adults harassing a child at a bus stop.

The ACLU of Connecticut believes in a society where ideas are openly shared, discussed, and debated. Across the country, the ACLU has seen disturbing attempts to pressure libraries into removing books by and about Black, Indigenous, or other people of color, LGBTQIA+ people, and other historically marginalized communities. These attempts to limit access to diverse materials simultaneously deals two serious wounds to our society. First, removing books about people tells them loud and clear that they are not part of it. The Suffield kid who finds their local library barren of any stories featuring people like them gets the message that there is something wrong about them, that they are lesser, and that the world around them is not equally open to them. The Suffield kid who doesn't identify with any of the information or themes that the proposed policies would sharply restrict, on the other hand, gets a distorted, diminished view of our society and misses the chance to engage with different perspectives and develop the critical thinking skills essential for their growth and for thriving in today's world.

A recent national survey revealed that 80 percent or more of parents believe it is extremely important that their children be accepting of people who are different from them.¹ This finding underscores the widespread recognition that engaging with diverse viewpoints is fundamental to the development of young people. Libraries play a vital role in fostering this understanding by providing access to materials that reflect the rich variety of human experience.

Beyond an appeal to decency and a sense of proportion, we can offer some detailed reasons why you ought not to adopt the proposals.

1. The proposed policies are based on widely rejected research and false claims.

First, the policy document on the agenda makes references throughout to a study commonly called The Cass Review². This report has been systematically and roundly rejected by the US medical establishment, and around the globe, including but not limited to: American Academy of Pediatrics, the Endocrine Society of the United States, the Canadian Pediatric Society, The Royal Australian and New Zealand College of Psychiatrists, Japan's Society of Psychiatry and Neurology, in part due to "repeatedly" misusing data and violating its own evidentiary standards "by resting many conclusions on speculation."³ The writer of the review has called the American Academy of Pediatrics, which is the most widely accepted medical college of pediatrics on the globe, a left-leaning organization. There are "profound misunderstandings" of data, evidence, and process throughout the report that render it an illegitimate evidence base for making sound

¹ Minkin, Rachel & Juliana Menasce Horowitz, *Parenting in America Today*, PEW RES. CTR. (Jan. 24, 2023), <https://www.pewresearch.org/social-trends/2023/01/24/parenting-in-america-today/>.

² The Cass Review, Final Report: Independent Review of Gender Identity Services for Children and Young People, April 2024, at https://cass.independent-review.uk/wp-content/uploads/2024/04/CassReview_Final.pdf

³ Meredith McNamara et. al, *An Evidence-Based Critique of "The Cass Review" on Gender-affirming Care for Adolescent Gender Dysphoria* (date?), available at https://law.yale.edu/sites/default/files/documents/integrity-project_cass-response.pdf.

library policy decisions, including “spurious, debunked claims about transgender identity and gender dysphoria.”⁴ A Yale Law School publication from the Integrity Project critiquing The Cass Review determined that the errors raised “serious concern[s] about the scientific integrity of critical elements of the report’s process and recommendation.”⁵

Second, Footnote 3 is an inaccurate statement about the decision in *United States v. American Library Assn., Inc.*, 539 U.S. 194 (2003). The Court did not hold that libraries may engage in viewpoint-based decision-making, which presumptively violate the First Amendment. Kent Memorial Library has the discretion to make selection decisions for the collection that will be of interest to community members, but those decisions must be based on objective criteria.

2. The policies take rights away from parents.

Policy 2 of this draft states that the Kent Memorial Library Commission, in its commitment to “protecting minors,” will be the determining body for what is and is not appropriate “based on community standards for minors as determined by the Library Commission.”

In passing this policy, however, the committee will adopt the cognitive and evaluative framework of the much-challenged Cass Review. Additionally, nowhere does the Library Commission explicate precisely what its criteria will be for deciding to include or exclude books, themes, etc.; and whether or not there will be opportunity for public comment and recourse in these decisions; and how and when these decisions will be conducted at Commission meetings — only that potential exposure to these materials and concepts outweighs any artistic or enriching content or value. This language in the policy draft was, according to a footnote, adapted from a 2024 online article about “culture war” that is designed to explicitly attack the American Library Association (ALA). The article was written by those involved with the Association of Library Professionals (ALP), a group started to advance exclusionary and ideological positions at odds with objective reality.

The Commission’s position is contrary to the stated policy that adopts the standard that parents can guide their own children in selecting library materials. If the Commission is imposing its own view of “community standards,” then it is removing discretion from parents to select materials that are developmentally appropriate for their children.

3. The proposals’ ideological bent is obvious and distasteful.

Policy 3 of the draft has examples of books that are deemed inappropriate by the authors of the draft. It is difficult to believe that this policy is designed to do anything other than exclude

⁴ Ibid.

⁵ Ibid.

specific viewpoints. And, the list of “messages” the authors of this policy draft gleaned from a children’s book is entirely innocuous and is difficult to take seriously in polite company as exemplars of inappropriateness. One could ostensibly answer “And...?”, “So what?”, “OK,” or “Nuh-uh” to any of these statements — as children especially are wont to do — and continue about one’s business.

Policy 3 of the draft also has some alarming language about gender identity/expression and suicide. The policy draft claims that “the medical literature does not support” presenting gender identity/expression concepts in a “positive light because an increased rate of suicide among gender dysphoric youth.” The medical literature in question has been deemed outside the bounds of scientific integrity. Second, preferring to use the parameters of junk science over the concerns of “some residents” showcases that the Kent Memorial Library Commission should be more transparent and willing to include public input into its decision making apparatus in order to fulfill its mission to the community. Third, that the Kent Memorial Library Commission’s policy draft language includes splitting hairs over the rate of suicide in trans youth is shocking. One suicide is too many.⁶

Policy 3 also states that all materials “presenting gender identity ideology” can only be in the Young Adult section, even if the materials are age-appropriate for children. Adopting such a measure would place the Library in the position of diminishing the rights of younger children to access such materials based on the Library Commission’s viewpoint. *E.g.*, *Virden v. Crawford County*, No. 23-cv-2071, 2024 WL 4360495, at *4 (W.D. Ark. Sep. 30, 2024); *Sund v. City of Wichita Falls*, 121 F. Supp. 2d 530, 550 (N.D. Tex. 2000).

Moreover, Policy 3’s proposed ‘balancing’ of information about gender identity with apparently contrary information is exceedingly difficult to understand. It portends a vile card catalog looking more like an installation of *The Onion*’s satirical point/counterpoint column (*You’re a Great Kid Who Deserves to Be Loved v. No You’re Not, There’s Something Wrong With You*) than anything Nutmeggers expect from their local libraries. Please do not subject Suffield’s LGBTQIA+ youth to more appalling derision, abuse, and cause for self-doubt than the outside world already heaps upon them. They need Suffield to be the solid hometown in which they learn, grow, and flourish.

Policy 4 ignores Supreme Court precedents. The determination of whether material has serious value for minors is not a subjective, Suffield-specific standard, but an objective, nationwide one. *Pope v. Illinois*, 481 U.S. 497, 500–01 (1987). A determination that all materials with references to sex or nudity are prohibited — even in the Young Adult section — violates the rights of

⁶ The policy draft also quotes a lawyer for the ACLU arguing at the Supreme Court about trans youth suicides. The policy draft neglects to quote the same oral argument’s factual claims that “significant health benefits” can “come from providing gender-affirming care, including reduced suicidal ideation and suicide attempts.” https://www.supremecourt.gov/oral_arguments/argument_transcripts/2024/23-477_c07d.pdf

readers who wish to access material of serious value for them. *E.g., Fayetteville Pub. Library v. Crawford County*, No. 23-cv-5086, 2024 WL 5202774, at *16 (W.D. Ark. Dec. 23, 2024).

Courts recognize that libraries have broad discretion to make collection decisions based objectively on community interest and other objective criteria, but courts repeatedly have rejected the argument that the library collection constitutes government speech and collection decisions can be based on viewpoint. Acquisition and removal are equally bound by viewpoint discrimination, as has been determined by several federal court cases⁷. *E.g., Fayetteville Pub. Library v. Crawford County*, No. 23-cv-5086, 2024 WL 5202774; *Pen Am. Ctr. v. Escambia Cnty. Sch. Bd.*, 3:23cv10385/TKW/ZCB (N.D. Fla. Oct. 28, 2024).

Lastly, the policy misstates or ignores the American Library Association's policy. ALA's established policy is that parents should guide their own children's reading rather than having the government make viewpoint-based decisions for all parents in a community as to what should be available in a particular library collection.

We write and make these observations because we think Connecticut is, and can be, a beacon of decency, fairness, and enlightenment for the rest of a nation alarmingly turning on itself and its kids. Please affirm the Library's commitment to kindness and intellectual rigor by declining the proposed policies.

Signed,

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Director of Communications
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⁷ This also includes a preliminary injunction issued in a case yesterday:
<https://www.denverpost.com/2025/03/19/elizabeth-school-district-book-ban-aclu-lawsuit-preliminary-injunction/>