

Dear [name],

It has come to my attention that [Book Title and author] is currently in your [enter school name] library. As a concerned citizen and parent, I urge you to review this title for removal from library shelves, immediately. The Supreme Court has ruled on the constitutionality of obscene material. In *Miller v. California*, the Supreme Court made the determination that obscene material is not protected under the First Amendment (Reisman 2018).

I am not alone in believing that this book should not be in school libraries. In fact, 69% of voters feel that “books containing explicit sexual depictions of sex acts, including homosexual sex, should not be present in public high school libraries”(Rasmussen 2022). In fact, this number rises to 79% when asked if the books should be in middle schools and 85% when asked about elementary schools (Rasmussen 2022).

****INCLUDE THIS FOR *This Book is Gay*****

[Currently, one of the most controversial books in school is, *This Book is Gay* by Juno Dawson. Often, anyone opposed to this book is called homophobic. This book offers children information on websites to meet sexual partners as well as dating apps. When polled, 68% of parents do not believe schools should be giving such material to children in public schools (Rasmussen 2022).

Censoring material for CHILDREN has not typically been controversial. In fact, 78% of parents feel that they should have control over books that are in our public schools (Rasmussen 2022). I say “our public schools”, because let’s not forget that as taxpayers, they are OUR public schools. Again, I point you to the fact that the internet is censored and monitored at schools and children are not able to watch pornography. However, graphic, pornographic books sit on your library shelves, waiting to be checked out by innocent minds.

I am asking that you protect our youngest minds from inappropriate, graphic, pornographic material that would not be allowed outside of school. There are many ways to do this which include requiring parental consent for the most explicit titles, placing “explicit” stickers on covers, and removing certain books from school shelves. If parents want their children to have access, they are welcome to go to the public library, book store or online.

Finally, I am aware that as a New York State public school, you are exempt from obscenity laws. According to NYS Penal law Section 235.05, you are considered guilty of obscenity in the third degree when you knowingly “promotes, or possess with intent to promote, any obscene material”(N.Y. Penal Law § 235.05). It is sickening to think that educators are able to provide this material to students legally. Morally, however, that is a different story.

I urge you to strongly consider removing this book from our public school library shelves. And while you are considering it, I hope you are thinking about the fact that if you handed this book to children in a different public setting, you would be charged with obscenity in the third degree.

Sincerely,

[name]

References

Rasmussen_Poll. (2022). *Voters against obscene books in public schools*. Rasmussen Reports®. Retrieved April 29, 2023, from https://www.rasmussenreports.com/public_content/politics/partner_surveys/voters_against_obscene_books_in_public_schools

Reisman, Judith A. and McAlister, Mary E. (2018) "Materials Deemed Harmful to Minors Are Welcomed into Classrooms and Libraries via Educational "Obscenity Exemptions"," *Liberty University Law Review*: Vol. 12 : Iss. 3 , Article 3. Available at: https://digitalcommons.liberty.edu/lu_law_review/vol12/iss3/3

Obscenity in the third degree, N.Y. Penal Law § 235.05.