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July 13, 2023

Catherine Wolverton, Library Director
Cedar Grove Library
One Municipal Plaza
Cedar Grove, NJ 07009

Re: Reconsideration of Award-Winning Memoir Gender Queer

Dear Director Wolverton:

The ACLU of New Jersey has been advised that the Cedar Grove Library's Board of Trustees may be reconsidering the inclusion of *Gender Queer*, an award-winning memoir,¹ in the Library's collection and write to express our alarm. Removing this important memoir, one that has been honored for its exceptional merit relating to the LGBTQIA+ experience,² would be a disservice to the members of your community, particularly those who identify as LGTBQIA+. The fact that some people may wish to insulate themselves from realities to which they disagree does not justify removing materials from the library's collection and preventing an entire community from engaging with those experiences and ideas. We urge the Library to stand up for the First Amendment by resisting all censorship efforts and keeping *Gender Queer* in its collection.

Recent attempts to restrict or remove books like *Gender Queer* from library shelves appear to be part of a dangerous nationwide trend in which local officials and library administrators have succumbed to pressure from politicized advocacy groups to allow censorship in its libraries by denying community members – and young people in particular—access to important literature and information about LGBTQIA+ people, human sexuality, racism, and other topics that everyone has the right to access.

¹ In 2020, the American Library Association chose *Gender Queer* as one of ten winners of the Alex Award, writing that “[r]eaders will recognize a kindred spirit in [the author] and/or gain insight into what it’s like to identify outside of the cisgender/heterosexual ‘norm.’” Young Adult Library Services Association, 2020 Alex Awards, <https://www.ala.org/yalsa/2020-alex-awards> (last visited July 13, 2023).

² *Gender Queer* was also the 2020 recipient of the Stonewall Book Award, “the first and most enduring award for LGBTQIA+ books.” American Library Association, Stonewall Book Awards List, <https://www.ala.org/rt/rrt/award/stonewall/honored> (last visited July 13, 2023).

As you know, restricting access to books limits New Jerseyans' ability to access information that should be made available to everyone. And in many cases, as would be the case here, it limits opportunities for young people to be introduced to new ideas and information, to learn about themselves and about people who are different from themselves, and to become active and informed citizens in their communities. To the extent that some individuals, specifically parents, wish to insulate their children from exposure to ideas that might make them uncomfortable or conflict with their personal values or religious beliefs, such an objective does not justify culling the library's collection to deny all community members access to books that some individuals dislike.

Historically, book banning has long been used to marginalize underrepresented and disempowered voices and communities, and we are particularly troubled by the dangerous anti LGBTQIA+ rhetoric that has accompanied much of the recent book-banning advocacy. Nationally, LGBTQIA+ youth are far more likely to be bullied and harassed at school, alienated from their families and communities, and suffer from depression and suicidal ideation than their non-LGBTQIA+ peers. For LGBTQIA+ youth who are isolated at home, in school, or in their community, access to LGBTQIA+ representation or information in books and literature can be a refuge—and in some cases life-saving. Courts have repeatedly ruled that censoring books because they express support for lesbian, gay, bisexual, and transgender people is a form of viewpoint-based discrimination prohibited by the First Amendment.³

In debating whether to allow people to check out a controversial book from a public library, it is important to keep in mind the foundational role public libraries play in our communities: facilitating free and open access to information for everyone. The U.S. Supreme Court has recognized that public libraries “pursue the worthy missions of facilitating learning and cultural enrichment.”⁴ Indeed, participants in a diverse society will thrive only if a diverse array of literature and informational material are available to them—from literature by and about LGBTQ+ people, to religious texts of all faiths, to books about science, art and history written from traditional as well as non-traditional perspectives. By contrast, when officials attempt to create a “sanitized” public space by eliminating controversial texts from libraries, they undermine this critical function of public educational resources. And when books can be removed based on complaints about the author's message or point of view, it paves the way for an unending series of attempts by one group or another to cleanse an institution of reading material based on what a vocal faction finds objectionable. In the end, libraries become another arena for political warfare, rather than a space of learning for our community members. No one is well-served by this practice.

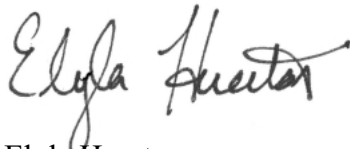
³ See *Parents, Fams., & Friends of Lesbians & Gays, Inc. v. Camdenton R-III Sch. Dist.*, 853 F. Supp. 2d 888, 897 (W.D. Mo. 2012) (holding that censorship of LGBT-supportive websites in school library violated First Amendment); *Sund v. City of Wichita Falls, Tex.*, 121 F. Supp. 2d 530, 532 (N.D. Tex. 2000) (holding that restrictions on access to *Heather Has Two Mommies* in public libraries violated First Amendment); *Case v. Unified Sch. Dist. No. 233*, 908 F. Supp. 864, 875 (D. Kan. 1995) (holding that removal of book depicting romance between two women from school libraries violated First Amendment).

⁴ *United States v. Am. Library Ass'n, Inc.*, 539 U.S. 194, 203 (2003).

Earlier this year, the Glen Ridge Public Library, another Essex County library, contended with a number of requests to reconsider books in its collection. Ultimately, the Board of Trustees voted to reject the requests and keep the books—many of which focused on LGBTQIA+ themes—on the library’s shelves. We hope the Cedar Grove Library Board comes to the same conclusion.

The ACLU of New Jersey is urging librarians and public officials throughout the state to take a stand against censorship and in support of the rights and interests of your community, and our democracy. We hope that you and the Cedar Grove Library Board of Trustees will resist attempts at censorship and support access to information.

Very truly yours,

A handwritten signature in black ink that reads "Elyla Huertas". The signature is written in a cursive style with a large initial "E" and a long, sweeping underline.

Elyla Huertas