

## Free Expression Work

### Q3 Update

FY 2024 (April 1, 2024 – June 30, 2024)

*Last updated 07/24/2024*

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**ABFE's Free Expression Work** (based on Ends Policy 1(a)<sup>1</sup> and [as of 12/31/2023] Ends Policy 4.<sup>2</sup>)

### Q3 Update

**Q3 summary:** ABFE's points of focus in Q3 were direct support for stores experiencing free expression-related harassment; completing our first print book, *The Right to Read Handbook: Fighting Book Bans and Why It Matters*; producing and distributing Banned Books Week 2024 kits, providing physical assets with an original campaign free to member stores who sign up; following the 2024 state legislative sessions, which saw the defeat of all bills that would have directly harmed booksellers' free expression; expanded ABFE social media with original posts, interviews, and collaborations. Activity in Q3 was abbreviated because the Advocacy Associate Manager was out for six weeks on medical leave.

**Direct support for stores.** April 2024 was marked by a wave of threats targeting independent booksellers with violence for hosting Drag Story Hour events. At least three stores were targeted with credible bomb threats that forced them to close their doors, causing them to lose business and eroding their safety and security. ABFE consulted with stores directly about prioritizing staff and customer safety, communicating about the threats with their community, working with police, and weighing implications for their future programming. ABFE convened an online Drag Story Hour security panel featuring store owners, Drag Story Hour organizers, and a crisis communications consultant. Finally, ABFE held an event with a licensed trauma therapist to offer mental health support for any impacted booksellers.

***The Right to Read Handbook.*** Q3 was largely spent drafting and producing the *Handbook* in time for a Banned Books Week release. The 150-page document features an accessible history of literary censorship in the US; interviews with booksellers, parents, and activists; and guides to organizing against book bans in your community. It is being produced by IngramSpark in full-color paperback and will be available for stores to sell for a normal margin during Banned Books Week.

**Banned Books Week Kits.** Building on the campaign conceived in Q2, ABFE and ABA's Senior Graphic Designer produced graphics for print and digital assets to get out the word about Banned Books Week and help stores raise awareness about book bans. Kits were compiled with help from donated assets from Ingram, and featured an increased number of bookmarks and

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<sup>1</sup> "1(a). Core members have the resources in support of their right to freedom of expression."

<sup>2</sup> "4. Legal and regulatory policies reflect the interests of independent bookstores in such areas as antitrust action and small business assistance."

buttons versus previous years, as well as a consistent quantity of stickers, posters, and caution tape. Kits were completed on time and under budget.

**Book ban legislation.** Most 2024 state legislative sessions concluded in Q3, seeing all book ban bills that would have directly impacted booksellers defeated. Clones of the READER Act that were introduced in New Hampshire, South Carolina, and Georgia were all defeated, as was a bill in Alabama that would have opened booksellers to legal risks merely for selling normal literature or hosting all-ages drag events. We also worked with Media Coalition to stay abreast of more general censorship provisions impacting the definition of terms such as “obscenity” and “harmful to minors” and related age-verification requirements that could impact booksellers if defined in overbroad terms.

**Legal action.** Our Texas and Arkansas cases with Media Coalition continue. The 5th Circuit affirmed a District Court decision to preliminarily enjoin the READER Act in Texas. The State did not appeal to the Supreme Court. We responded to interrogatories in the Arkansas case and await oral arguments in the 8th Circuit. In the meantime, for new legislation in which we would not have standing to be plaintiffs, we have strategized with coalition allies about possible future amicus briefs against anti-library and anti-literature laws that were passed in 2024 sessions.

**Social media.** In Q3, ABFE focused on high-impact interviews, book ban deep-dives, and elevating grassroots organizing and member stores. Instagram followers increased to 652, up from 579 at the end of Q2. (Growth was likely hampered by the Advocacy Associate Manager’s leave, during which there were no new posts; growth resumed when she returned.) Major interviews included author Lauren Groff, author and organizer Maggie Tokuda-Hall, and booksellers and activists in Texas, California, Tennessee, Iowa, Colorado, and more.

## Q2 Update

**Q2 summary:** As state legislative sessions opened (and, in many cases, closed), ABFE rallied booksellers against many book ban bills in state legislatures. We also joined amicus briefs in defense of the right to read, continued to grow our social media platforms, and collaborated with allies on joint actions. Winter Institute offered many opportunities to spread awareness of ABFE and book bans. Throughout the quarter, ABFE advised stores reaching out for guidance and support. And finally, ABFE has been hard at work drafting the ABA Right to Read Handbook, which will be released in the fall, and preparing kits and a new campaign for Banned Books Week 2024.

**Direct support for members.** Building on the best practices in the toolkit, ABFE offered guidance to stores in Ohio who were targeted with harassment and threats of violence for their inclusive events. We advised on: taking threats seriously and keeping staff safe, communicating with authorities, communications strategy to make threats less likely, and communications strategy to stakeholders in the wake of a canceled event. We also created a tip sheet specifically for stores hosting drag story time events. As members reached out over the course of the quarter for advice on book bans, events, online and in-person harassment, and other challenges, ABFE responded with information and resources.

**Legislative mobilization.** New Hampshire SB 523, which included a portion copied from the Texas law forcing book vendors to rate books, did not materialize, thanks in part to ABFE's organizing. We mobilized New Hampshire booksellers to call and write to the committee, successfully removing the book vendor portion of the bill. Without that section, the bill was ultimately passed by the Senate but did not cross over to the house. ABFE also advised Jodi Picoult on a widely read op-ed against SB 523 and in support of HB 1311, an anti-book ban bill. We monitored similar book rating bills in Georgia and South Carolina that died in committee. Finally, we also mobilized supporters against bills in Utah, Idaho, Pennsylvania, and others where the right to read was under attack in schools and libraries.

**Legal challenges.** ABFE continued our pursuit of legal challenges to HB900 in Texas (book rating law) and Act 372 in Arkansas (adults-only section in bookstores), responding to interrogatories and acting under the guidance of counsel as both cases moved through the appeals process, and updating our members along the way. We also, in collaboration with Association of American Publishers and Authors Guild, commissioned and oversaw an amicus brief in support of *PRH v. Robbins* and *GLBT Youth v. Reynolds*, the two consolidated book ban cases in Iowa.

**Grassroots support and collaboration.** Made contact with grassroots orgs in Florida, Texas, Alabama, Iowa, Missouri, and Pennsylvania to share information and followers. Also established contact with Authors Against Book Bans and strengthened our relationship with Red Wine & Blue. All of these groups are now in the loop to be briefed as appropriate.

**Coalition participation and support.** ABFE actively participated in our coalitions — Unite Against Book Bans, the Banned Books Week Coalition, the Kids' Right to Read Project, and Media Coalition — attending weekly and monthly meetings and coordinating in event planning. As part of the policy and legislation subcommittee of UABB, we helped set policy priorities, plan an education event briefing attendees on legislation, and planned get out the vote initiatives. As part of the BBW Coalition, we helped set the BBW 2024 agenda and theme. As a partner of KRRP, we signed 5 letters pushing school districts to follow effective policies. And as Media Coalition, we joined and planned amicus briefs and participated in weekly state legislative review sessions, in addition to supporting our ongoing suits.

**Right to Read Handbook.** Building on the success of the Right to Read Toolkit, a guide for booksellers who want to defend the right to read in their stores, ABFE began planning and drafting the *ABA Right to Read Handbook*, a reader's guide to fighting book bans. It will be released and distributed through IngramSpark in time for Banned Books Week, Sept 22–28 2024.

**Banned Books Week planning.** ABFE successfully registered over 750 stores to receive a free Banned Books Week 2024 kit. We also conceived and designed a new campaign that will be featured on our BBW assets and t-shirts. Kits will go out in July.

**Education and awareness.** Winter Institute featured a Banned Books Week panel, impromptu remarks about book bans in the Town Hall, and innumerable conversations about book bans with members — as well as \$5,000 in donations, with donors receiving gifts of t-shirts and

hoodies. Advocacy Associate Manager Philomena Polefrone also went on the MeetCute Book Pod to talk about book bans.

**Social media.** We continued creating content to promote anti-book ban organizing, ABFE brand awareness, and mobilization across three platforms. Instagram remains the only significant performer. IG followers increased to 579 (from 271). Average engagement rate remained high at 13.98% (vs. industry average of 1%–5%). Our top performing posts were collaborations, most notably the Trans Rights Readathon post, which garnered 1,758 engagements and reached nearly 11,000 people.

## Q1 Update

### Federal Advocacy

- **Met with Matt Nosanchuk**, Education Department (Office for Civil Rights) Deputy Assistant Secretary and “book czar.” Represented the place of booksellers in the fight against book bans, provided a copy of the Right to Read Toolkit, and planned future programming to explain how the OCR can help booksellers fight censorship.
- **Subsequently, held a webinar** with Matt Nosanchuk for our members to explain the role of the Education Department’s Office for Civil Rights and how and when they take action. There were 110 registrants for the event and 60+ attendees.

### Legal Challenges

- **Kept our members abreast of developments** in our cases against TX HB 900 and AR Act 372.
- **Supplied Media Coalition and counsel with information** from our members about loss of revenue and other negative impacts of relevant legislation.
- **Formed a group to fund and write an amicus brief** in 2024 to support legal challenges to IA SF 496, a combination book ban/Don’t Say Gay law that would ban instructional material that included a description of a sex act, regardless of context or literary merit.
- **Advised Media Coalition** on book ban legislation being introduced for 2024.

### Social Media

- **Launched social media accounts** for ABFE on Instagram, Facebook, and X.
- **Followers** on each as of 12/31/23: Instagram (271), X (64), Facebook (63)
- **Engagement** on Instagram is exceptionally high, an average of 18.8%. Social media marketers set average engagement rates on average between 1% and 5%.
- **Launched three campaigns**, including Free Expression Fridays collaborating with free expression advocates; This Week in Book Challenges, covering every challenge in the news that week across the US; and Making Sense of Censorship, visual education pieces exploring trends and prevalent issues in book challenges.
- **Social media collaborations** include: The Good Books Young Troublemakers book club; Villanova’s Theater Program on their Banned Books performance; Christina Gagnier, CEO of Our Schools USA, on their anti-book ban advocacy; and The Nonbinarian Book Bike Instagram takeover.
- **Growth strategies:** Collaborations and making shareable content (visual, bookish, a touch sassy) have been the most successful growth strategies.

### Fundraising

- **Set up new crowdfunding support** on FundraiseUp to enable fundraising from nonmembers, raising over \$2,000 in Q1 to support our advocacy.

- **Donors** included banned authors, social media followers, booksellers who dedicated their gift wrapping donations, and a book industry organization who gave to ABFE as a holiday gift from employees.

### **Banned Books Week**

- **Held Banned Books Week Instagram Display Contest**, featuring displays from every region and judged by regional EDs. One Children’s Institute scholarship was awarded in addition to several t-shirts.
- **Celebrated Banned Books Week on the road** at fall regional shows, where we raised awareness about banned books, publicized the Right to Read Toolkit, and heard from members about book bans in their area.

**Online harassment support** for several booksellers who faced coordinated attacks during and around Banned Books Week.

**Direct advocacy on behalf of two members** facing content-based discrimination from local governments in Marietta, GA and Deerfield Beach, FL.

**Advised local organizers** who reached out to ABFE in Oregon, Texas, Virginia, and Massachusetts.

### **Call and Letter Campaigns**

- Circulated petition condemning book bans nationally.
- Circulated petition condemning Charlotte County, FL book bans specifically.
- Asked Pennsylvania followers to tell their representatives to vote no on PA SB 7, a bill that would de facto ban books with “sexual content” unless parents opt in.

### **Collaborations with allies:**

- Reviewed and signed onto 8 letters by NCAC’s Kids’ Right to Read Project.
- Advised KRRP on book challenges and challenge-friendly policies based on our findings in Curate.
- In October, discussed possible collaborations with Red Wine & Blue, a national progressive parents association resisting book bans.
- In November, met with Libro.fm about possible 2024 collaborations on banned books; spoke with a coalition including AAP and Big 5 publisher staff about a banned books sales campaign.
- In December, met with Skip Dye and others in the Banned Books Taskforce at Penguin Random House to discuss legal support for their challenge to Iowa SF 496 and ways we can collaborate in 2024. Advised the National Black Arts Foundation on their “Blacklisted!” mini-conference and book fair, connecting them to SIBA to ensure ABA members are involved in the book fair.