

**Date: January 30, 2023**

**Bill number: SENATE BILL No. 50**

**Proponent**

**From: Diane Levin, Kansas Resident**

**To: Chairman Thompson and Members of the Committee**

Let me start with four quotes about the necessity of free speech and public discourse without fear:

Freedom of speech is a principal pillar of a free government; when this support is taken away, the constitution of a free society is dissolved, and tyranny is erected on its ruins.”  
– Benjamin Franklin

“All censorships exist to prevent anyone from challenging current conceptions and existing institutions. All progress is initiated by challenging current conceptions, and executed by supplanting existing institutions. Consequently, the first condition of progress is the removal of censorship.” — George Bernard Shaw, Mrs. Warren's Profession

“The framers of the constitution knew human nature as well as we do. They too had lived in dangerous days; they too knew the suffocating influence of orthodoxy and standardized thought. They weighed the compulsions for restrained speech and thought against the abuses of liberty. They chose liberty.” – William O. Douglas [*Beauharnais v. Illinois*, 342 U.S. 250, 287 (1952) (dissenting)]”

“Without free speech, we will never know who the knuckleheads are.”

That last one I made up myself and I include myself in that characterization. It means: How are we to know who you are if we cannot hear what you say? Communication is basic human interaction. The asking and answering of questions no matter how dumb they may seem always leads to learning. That we could possibly be silenced for asking questions in a public forum, for demanding substantiation of statements, for challenging statements and assumptions put forth as gospel, for wanting information regarding the actions of those purport to lead us, is unconscionable in this time, in this country.

Some have decided that they know better than we do regarding what we can say, what we can know, what we can ask, and who we can question. It may be the so-called free press ... and it may be moderators on neighborhood chat groups. What gives ANYONE the right to determine what information a free citizen in this country can have access to? Are we an enlightened nation or not? Do we value education or not? What is education and learning if not acquiring and examining and testing as much information as we possibly can? Who has the right to tell us what we cannot know or what we cannot ask?

The motto of our state of Kansas is “Ad Astra Per Aspera” – “To the Stars Through Difficulty”. And how do we expect to reach the stars when some have decided that they are the ones to smooth that road of difficulty by removing unpleasantness or stopping the challenging of assumptions or defining and stopping what they believe to be “misinformation” or that the difficult questions should not be asked? Free speech provides the challenges and difficulty that will teach us, strengthen us, and grow our wisdom. Censorship of public discourse ends all of that.

What persons have the right to expect the others in this country to fight to defend this country, to work and pay taxes for the support it, to vote to elect leaders, to do our civic duties as citizens yet at the same time cannot allow us the intellectual respect of knowing what we want to know and to ask the questions we want answered?

Do we want to accept “do as I tell you and don’t ask” from the small group that has set themselves above all the rest as the gatekeepers of information ... that we should be expected to do our civic duty in the dark?

No responsible thinking adult will ever accept that.

Ask yourselves as leaders: do you want an informed and thinking constituency, or are you one who wants to operate with ignorant followers who will do and believe exactly what they are told, and which do you honestly believe is best for Kansas and our nation?

“To the Stars” speaks maybe to the enlightenment of a people. To allow the people to be kept in the dark by the few in control of the public forum is what you might call the opposite of enlightenment.

Those who want to keep others in the dark are maybe afraid. Maybe afraid to reach for the stars, maybe afraid to have their little boats rocked. Maybe they find it safe to homogenize and pasteurize and filter and sanitize knowledge so that there are no surprises or learning or so that no one has to admit they might be wrong or possibly feel bad about making a mistake. Maybe some desire a content and serene and ignorant population because they alone believe know exactly what everyone else wants and needs. Or just maybe some are doing things they should not be doing and so must keep the people in the dark or be exposed for who they are. Any one of these reasons for censorship and suppression of information and discourse are destructive to humanity and our ability advance our communities and nation.

I am not afraid of hearing or reading 360 degrees of information. Why would anyone else be?

But some are. To this day I am not allowed to be on popular social media site Nextdoor because I was asking questions and challenging assumptions in statements others made that made others uncomfortable to have to rationalize or justify. Nextdoor cited their policy and stated I was disabled, now permanently, for writing “content that perpetuates false or misleading claims and conspiracy theories about COVID-19,

vaccines, or national elections.” Dangerous content like this one cited as a justification for my censorship:

*“Please read about "off label" use of medications. It is legal and thoughtfully applied by medical professionals in many cases.”*

Or this terrifying opinion of another’s comment:

*“Totally nasty....”*

Sure, it wasn’t nice, but the truth is, the comment was indeed nasty. Meanwhile I have been called “racist” and worse with no similar punishment for those comments. This speaks to the additional problem with censorship of any kind, and that is the censorship of views unpopular with those who have the power over the site. In the case of Nextdoor, conservative views in my area were particularly targeted.

Here are a few other of my comments identified by Nextdoor as in violation of guidelines, never mind that they were responses to statements initiated by others, in this case attacking the congressional republican position on funding programs. Interestingly, Nextdoor policy does not allow conversations of national politics, but this seems to be no problem if you have the acceptable view and so, once again, my responses to unsubstantiated attacks were grounds for me to be censored:

*“ No I do not know "how Republicans feel about child poverty". Do YOU know how they feel? ALL of them? Tell me since you are "pretty sure" you know. Or is that just an easy virtuous statement with no foundation?”*

*“ Oh and tell me how Pelosi feels about America when she ripped up the State of the Union address. "Pretty sure" that means SHE was against jobs, improving the economic condition of minority Americans, against prison reform, against ending drug and human trafficking. Is that correct then?”*

*“Aren't you all tired of the people of our governments throwing more and more of your money at problems that never get solved? Maybe money is not the solution. Maybe its the cozy relationship between big hospitals, big pharma, big insurance and your government. Republicans and democrats have all promised to end lobbying from big business ... yet Trump hired lobbyists, Biden hired lobbyists for his transition team. I think you are all barking up the wrong tree regarding funding of any social services .. you need to look at who is making the big profits on these programs ... the businesses AND POLITICIANS”.*

The above statements may seem trivial to you but let me further illustrate that those in control of our public forums are not equitably enforcing their policies either. This comment from another Johnson County resident is loaded with hyperbole and clearly false information and again involves national politics yet it remains today on Nextdoor:

*“Don't get me wrong, I think most cops are great! I still feel sorry for those Capitol Police that were beaten and maimed (some to ultimate death) on Jan. 6. by black and blue and "45" "American" flags. The hypocrisy is rampant. All incidents must be looked at and dealt with separately. Traitors don't deserve a pass, murders don't deserve a pass.”*

The fact is no one arrested on January 6 was charged with treason or murder. Not one Capitol Police Officer died at the hands of a protester. Yet this comment remains, and this commenter appears to still have an account. Allowing censorship means that the censor has the power to label and choose what is acceptable and what is not, and their biases and agendas are the driving force behind those choices. We must allow all opinions to be heard and make the choice of what is to be considered and what is to be rejected ourselves.

You must remove the power of silencing voices from the hands of the censors. You must stop this trend of keeping adults in the dark when important changes and issues are challenging our country. You must can disarm those holding the power of banishment and who allow only conversations they want to hear which validate only their view of this country. There is no Constitutional right to be free of discomfort or to be insulated from challenge. There is a Constitutional right to express your thoughts and ideas freely. Do not allow the fear of a few who have decided that it is their right to be free of difficulty or challenge, or those who hide their deceit by punishing those who ask hard questions, prevent the rest of us from achieving knowledge and enlightenment and real solutions to issues that will keep Kansas and this country moving forward honestly and intelligently.

Therefore I request that you support Kansas Senate Bill No. 50.