



WEST VIRGINIA  
ASSOCIATION  
OF MUSEUMS

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FOR IMMEDIATE RELEASE—West Virginia Association of Museums statement on HB4654

The West Virginia Association of Museums, the statewide museum association which serves and advocates for West Virginia's 250 museums and cultural institutions, opposes House Bill 4654 currently before the West Virginia Legislature. West Virginia's schools, public libraries, and museums are places that foster education, literacy, curiosity, and knowledge. An attack on these institutions is an attack on the present and future development, success, and prosperity of the state of West Virginia. We urge our representatives to consider a change in the language of the proposed bill to eliminate the danger to the museum and cultural community present in the bill as currently written.

WVAM is not opposed to protecting children from potentially harmful materials or ensuring that our museums, libraries, and schools are safe spaces. We are opposed to a change in the code that endangers the community of library and museum professionals while doing their jobs in these institutions. The proposed changes to §61-8A-3 of the Code of West Virginia makes an indiscriminate change that opens our cultural and educational institutions to damaging attacks and litigation due to vague language.

Particularly concerning for members of the museum community is the definition of "obscene matter" that reads "a reasonable person would find, taken as a whole, lacks serious literary, artistic, political or scientific value." This vague definition opens the door for attacks and legal challenges on any exhibit, program, lecture, publication, or other project that some member of a community may not agree with.

Museum exhibits and programming are meant to be educational, thought provoking, and sometimes cover controversial topics. It is standard practice for staff or volunteers to rigorously evaluate objects, art, images, and themes for their appropriateness for all visitors during exhibit and program development. Museum staff and volunteers build exhibits and public programs for everyone in their diverse communities. Each and every museum visitor is unique, and each approaches museum content with their own backgrounds, opinions, and values. "Obscene Matter" as defined in the bill, is not clear and could be left up to interpretation.

The threat to our museum professionals and volunteers of criminal prosecution from claims brought against them about specific exhibits, objects, or programs, that one individual finds offensive, does not foster the collaborative spirit between staff and visitors that makes our state's 250 museums heritage tourism assets in all 55 counties. The threat of legal prosecution will only serve to limit or erase the ability of West Virginia's museums to continue as centers of history, culture, education, and community.

There is an alarming degree of subjectivity in the wording of HB4654 as to whether something is patently offensive. The West Virginia Association of Museums encourages our representatives to consult with librarians, educators, and museum professionals about how this legislation will negatively impact our work and oppose passage of the bill in its current form.

Respectfully,

The Board of the West Virginia Association of Museums