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May 23, 2023

Via Email Only:

Terrence Cain

Via Email: [terrencecain@windstream.net](mailto:terrencecain@windstream.net)

Brian Meadors

Via Email: [brianmeadors@gmail.com](mailto:brianmeadors@gmail.com)

Re: May 18 Email to Quorum Court of Crawford County

Mr. Cain and Mr. Meadors,

This Firm represents Crawford County's Quorum Court. The Quorum Court is in receipt of your email dated May 18, 2023. That email also contains a draft Complaint of a civil case in the Western District of Arkansas.

Acting as the legislative branch of a County is a task that comes with greater difficulty than one would think. The balancing test between the freedom of an unbounded First Amendment and protecting children from exposure to materials that might harm their innocence exposes the core of the phrase "*rational minds may differ.*" You even stated in your email that "Where we disagree... is how best to protect children."

This balancing test is coming to the forefront of the national conversation. At the state level, Act 372 passed the legislature and is going into effect shortly. Its effect will be to require libraries to have a section that is inaccessible to minors. Quorum Courts across the State will hear appeals on relocation of books within county library systems. The State legislature's Act 372 will make it necessary to continue modifying and changing the library system's policies and procedures.

The Quorum Court of Crawford County has made no laws that violate the First Amendment to the Constitution of the United States. Expanding that out to include case law from the Supreme Court, the Quorum Court of Crawford County has not violated any legal precedent. When the conversation began that sexualized material was in the children's section of the libraries within the System, Justices simply stated that a compromise should be reached. No ordinance was passed proclaiming that books should be moved. No direction or supervision was implemented.

Cordially,

Gentry Wahlmeier