

# How to be an Everyday Intellectual Freedom Fighter

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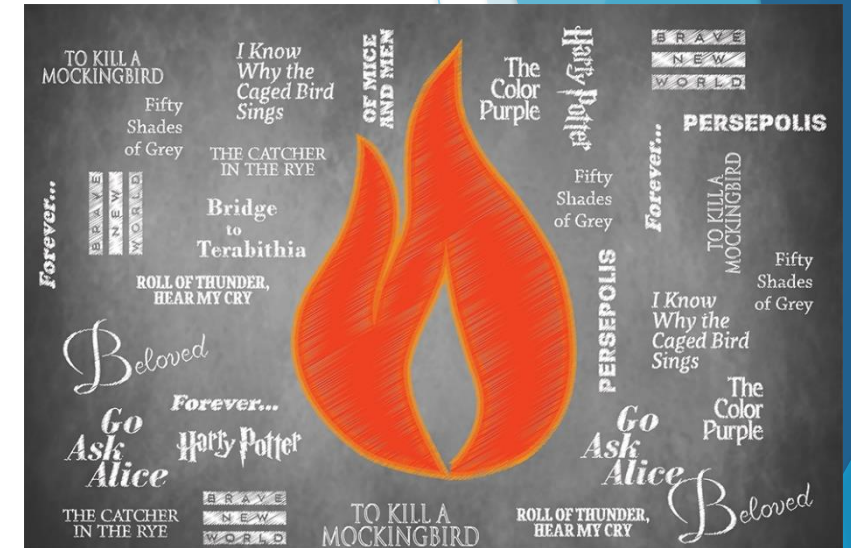
# Introductions

- ▶ Emily O'Neal is the Technical Services Manager at Deschutes Public Library
  - ▶ Co-Chair for the Oregon Intellectual Freedom Committee.
- ▶ Perry Stokes is the Library Director at Baker County Library District
  - ▶ Co-Chair for the Oregon Intellectual Freedom Committee.



# What is Intellectual Freedom?

- ▶ Unrestricted access to information and ideas
- ▶ The freedom to decide what to read, what to learn and how to learn it
- ▶ Intellectual Freedom also extends to the freedom to use the internet with a reasonable expectation of privacy and without judgment of content
- ▶ **It is protected by the First Amendment**



\*\*\*NOTE\*\*\*

Content provided in this training should not substitute legal counsel. Consult your local agency's attorney.

# Library's Role and the First Amendment

- ▶ ‘freedom of speech’ includes the right to receive speech and likewise have held that libraries are “**quintessential locus of the receipt of information**” according to the Third Circuit Court of Appeals, essentially ruling that access to a public library is a corollary First Amendment right.
  - ▶ *Kreimer v. Bureau of Police for the Town of Morristown*, 958 F.2d 1242 (3<sup>rd</sup> Circ. 1992).
- ▶ <https://americanlibrariesmagazine.org/blogs/the-scoop/resisting-hate-with-speech/>
- ▶ <https://www.ala.org/advocacy/intfreedom/censorship>

# Elements of Library Bill of Rights

- ▶ Materials provided to all
- ▶ Materials represent all points of view
- ▶ Challenge censorship
- ▶ Open to all people
- ▶ Meeting rooms and exhibit spaces available to all, equally
- ▶ Privacy and confidentiality of patron information.



# Library Bill of Rights (1-4)

- ▶ I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- ▶ II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
- ▶ III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- ▶ IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- ▶ <http://www.ala.org/advocacy/intfreedom/librarybill>



# Library Bill of Rights (5-7)

- ▶ V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
- ▶ VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.
- ▶ VII. All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use. Libraries should advocate for, educate about, and protect people's privacy, safeguarding all library use data, including personally identifiable information.

# Elements of ALA Freedom to Read/View Statements

- ▶ We trust Americans to make their own choices in what they choose to read or watch.
- ▶ We trust Americans to recognize propaganda and misinformation
- ▶ We do not believe Americans would not sacrifice their right to press or information in exchange for a protected world view.
- ▶ We believe Americans favor free enterprise or ideas and expressions.
- ▶ We believe that what people read is deeply important
- ▶ We believe that ideas can be dangerous BUT the suppression of ideas is fatal to a democratic society.
- ▶ We defend the constitutional rights of all individuals, including children and teens to use library resources



# Three Types of Complaints

## **EXPRESSION OF CONCERN:**

AN INFORMAL QUESTION OR COMPLAINT ABOUT A RESOURCE THAT AN INDIVIDUAL MAY FIND OBJECTIONABLE

## **CHALLENGE:**

AN ATTEMPT TO HAVE A LIBRARY RESOURCE REMOVED OR ACCESS RESTRICTED BASED ON THE OBJECTIONS OF A PERSON OR A GROUP

## **RECONSIDERATION:**

A FORMAL, WRITTEN REQUEST TO REMOVE OR RESTRICT ACCESS TO A RESOURCE.  
LIBRARIES SHOULD HAVE A FORM AND/OR PROCESS FOR RECONSIDERATION REQUESTS

# What is a challenge?

- ▶ A **challenge** is an attempt to remove or restrict materials, based upon the objections of a person or group. A **banning** is the removal of those materials. Challenges do not simply involve a person expressing a point of view; rather, they are an attempt to remove material from the curriculum or library, thereby restricting the access of others.
- ▶ **Censorship** is a change in the access status of material, based on the content of the work and made by a governing authority or its representatives. Such changes include exclusion, restriction, removal, or age/grade level changes.
- ▶ **Intellectual freedom** is the right of every individual to both seek and receive information from all points of view without restriction. It provides for free access to all expressions of ideas through which any and all sides of a question, cause or movement may be explored.

# Prepare

- ▶ <https://libguides.osl.state.or.us/iftoolkit/>
- ▶ The best way to prepare for challenges at your library is to have policies and procedures that are regularly reviewed, updated, and approved by your governing body.
- ▶ We recommend having policies that address:
  - ▶ Collections
  - ▶ Internet access
  - ▶ Meeting rooms, exhibit spaces, and programs
  - ▶ Privacy
  - ▶ Hate crimes
- ▶ Regularly review your policies and procedures and make updates as needed.



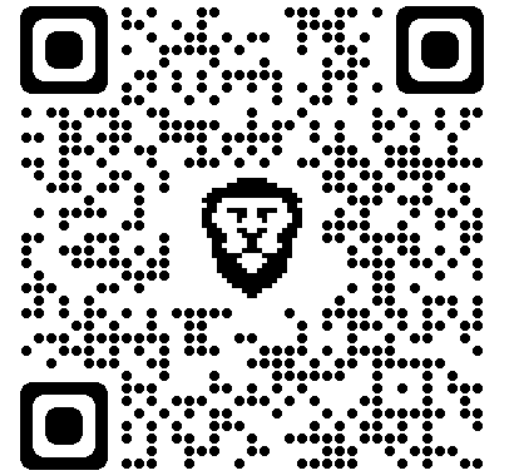
# Prepare

## ▶ Study & Stay Informed

- ▶ Get well-grounded, and well-versed in the principles and legal basis for policies
- ▶ Bookmark the ALA OIF Page <https://www.ala.org/advocacy/intfreedom>
- ▶ Explore and get familiar with the resources
- ▶ Read all the ALA Core Documents, [Statements](#), [Bill of Rights Interpretations](#) and [Q&As](#)
- ▶ Re-Read the above periodically
- ▶ Make sure your library has a copy of the Intellectual Freedom Manual (2021 latest edition). Read it.
- ▶ Consider a subscription to the Journal of IF and Privacy

# Prepare

- ▶ Advocate
  - ▶ LBOR Poster
  - ▶ LBOR Pamphlets
  - ▶ Framed copy of Constitution and Bill of Rights
  - ▶ US Flag
  - ▶ Form BB Clubs
  - ▶ Sponsor Student “Let Freedom Read” Clubs
  - ▶ Educate your Library Board, staff, community



# CONTINUING EDUCATION...

## TOOLS FOR TRUSTEES

United for Libraries  
Association of Library Trustees,  
Advocates, Friends and Foundations  
A division of the American Library Association



### Terms and Definitions Related to Intellectual Freedom & Censorship

Terms and terminology are a powerful tool when their definitions are misused, re-written, or conflated. The present climate requires we clearly define the language, especially to understand and defend intellectual freedom and censorship challenges. This collection of assembled terms and phrases strives to provide clarity, relying where possible on other American Library Association (ALA) glossaries for consistency. Additional notes within definitions may suggest how terms are being misapplied or used as a signal to others with the same agenda. We welcome your feedback and suggestions to refine what is presented here; email [united@ala.org](mailto:united@ala.org).

**Anti-racist curriculum** - For many educators, teaching through an anti-racist lens means helping students understand racism's origins and guises, past and present, so they can act to disrupt White supremacy. (NEA: <https://www.nea.org/advocating-for-change/new-from-nea/teaching-anti-racist-lens>)

**Ban** - A removal of materials from a library based on the objections of a person or group. Sometimes the ban is a decision made by a committee, and other times an administrator or staff member removes books without following a library's policy.

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### Materials Challenges: Key Library Policies to Review and Revise

Policies play an important role in supporting the operations of a public library. While some policies, such as certain employment, financial, and circulation policies may be legally required by state or federal law, most library policies are created by library directors and boards to ensure that the library legally fulfills its mission of providing access to information for the members of the community while also ensuring a safe and legal workplace for the librarians and staff that work there.

Legal and well-constructed policies play an especially important role when a library is involved in a conflict, such as when programming, services or materials are questioned or challenged.

This tip sheet will review the key components of well-constructed and legal policies and will describe the policies that a library should review and/or implement to prepare for the possibility of a materials challenge.

#### Creating Policies

To avoid legal challenges to a policy, uneven application (which could result in a discrimination claim), or confusion among staff or patrons as to how a policy is to be applied, a library should ensure that every policy contains the components listed below, and, that they are regularly reviewed by the library's attorney. Additional information for crafting good library policies can be found in the ALA's [Guidelines for Library Policies](#).

MORE AT

<https://www.ala.org/united/advocacy/challenges>



# Response Example 1:

- ▶ Step 1: Talk with the customer and try and resolve the concern verbally first
  - ▶ Listen
  - ▶ Empathize - do not apologize
  - ▶ Advocate - as a library we have something for everyone and are representative of everyone
  - ▶ Redirect - using readers advisory, find something for them too.
- ▶ Step 2: If the customer is not satisfied with the verbal response, the staff member may choose to initiate a formal review using the Request for Reconsideration of Library Services.
- ▶ Step 3: Access the reconsideration form
- ▶ Step 4: Provide the customer with the form
- ▶ Step 5: Upon return of the form, refer the form to the appropriate person to respond.
- ▶ Step 6: Inform the customer that no change in service, policy, procedure or program will occur during the review process
- ▶ Step 7: Inform the customer that a response will be provided within a set number of day of the written request.
- ▶ Step 8: Don't forget to report the challenge to the State Library:

<https://libguides.osl.state.or.us/oifc/report>

# Response Example 2:

- ▶ LISTEN - SOMETIMES USERS JUST WANT TO BE HEARD & WE VALUE THEIR FEEDBACK
- ▶ EMPATHIZE - DO NOT APOLOGIZE
- ▶ ADVOCATE - AS A LIBRARY WE HAVE SOMETHING FOR EVERYONE & REPRESENTATIVE OF EVERYONE
- ▶ REDIRECT - USE YOUR USER SERVICE SKILLS & RA TOOLS, SHOW THEM WE HAVE SOMETHING FOR THEM TOO
- ▶ NOTIFY YOUR MANAGERS - THEY WANT TO SUPPORT YOU & BE PREPARED FOR FUTURE COMPLAINTS

## BONUS:

- ▶ GO HOME AND IDENTIFY WHO IN YOUR ORGANIZATION IS RESPONSIBLE FOR FIELDING FORMAL CHALLENGES AND RECONSIDERATIONS. IT'S BETTER TO KNOW NOW BEFORE IT HAPPENS, IT HELPS GIVE YOU CREDIBILITY WHEN BEGINNING THE CONVERSATION

**IF THE 5 STEPS TO DEESCALATE AND ADVOCATE HAVE BEEN USED AND THE USER IS STILL NOT HAPPY, PLEASE DIRECT THEM TO YOUR MANAGERS/SUPERVISORS/DIRECTORS**



## **PORNOGRAPHY**

The decision about what is pornographic is largely subjective and reflects changing community standards and the subjective views of the individual.

# LEGALESE

## PORNOGRAPHY

Under U.S. law, “pornography” has no legal definition. Instead, courts and legislatures identify illegal sexually themed content as “obscenity”

Some consider anything related to human reproduction or gender identity to be pornography, but that misconception holds no legal standing.

# LEGALESE

## Types of Speech Not Protected by the First Amendment

### 1<sup>st</sup> Amendment Free Speech

*“Congress shall make no law . . . abridging the freedom of speech”*

The Freedom of Speech is not absolute, however.

#### Types of Unprotected Speech include:

- Inciting imminent Harm (yelling “fire” in a theater)
- Fighting Words
- Threats
- Obscenity (*Miller* test)
- Child pornography
- Torts
  - Defamation
  - Invasion of Privacy
  - Intentional Infliction of Emotional Distress (IIED)



## OBSCENITY

Federal Court has ruled that a work investigated for obscenity must be considered in its entirety and not merely judged on its parts.





# The Miller Test

## MILLER TEST FOR OBSCENITY

**1** Whether the average person, applying societal standards, would find that the case appeals to lustful interests.

**2** Whether the case describes or depicts, in an offensive way, sexual conduct or excretory functions defined by applicable state law.

**3** Whether the case as a whole lacks serious literary, artistic, political, or scientific value.

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## LIBRARY LEGAL PROTECTIONS

OR. REV. STAT. § 167.054 (2010). Furnishing sexually explicit material to a child

(1) A person commits the crime of furnishing sexually explicit material to a child if the person intentionally furnishes a child, or intentionally permits a child to view, sexually explicit material and the person knows that the material is sexually explicit material.

A person is not liable to prosecution for violating subsection (1) of this section if: (a) The person is an employee of a bona fide museum, school, law enforcement agency, medical treatment provider or public library, acting within the scope of regular employment...

# SCENARIOS AND COMMON QUESTIONS

Special thanks to Missouri Library Association for many of the following slides



# SCENARIO 1

**A CUSTOMER REQUESTS A COPY OF MEIN KAMPF, ADOLF HITLER'S MANIFESTO WHICH INCLUDES, AMONG OTHER THINGS, ANTI-SEMITIC SPEECH. HOW DO YOU RESPOND?**

Alternate scenarios – Anarchist Cookbook, “What is a Woman” by Matt Walsh, teen request for *Final Exit* (book on medically-assisted suicide)



# DISCUSSION POINTS 1

- THIS RESPONSE IS DRIVEN BY USING PROFESSIONAL NOT PERSONAL ETHICS
- HATE SPEECH IS PROTECTED BY THE FIRST AMENDMENT AND HAS BEEN ROUNDLY UPHELD BY THE SUPREME COURT
- USE THE RA TOOLS AND TRAINING AVAILABLE TO PROVIDE ACCESS. IF YOU DON'T HAVE IT ILL THEM A COPY



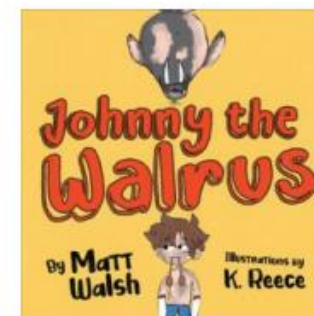
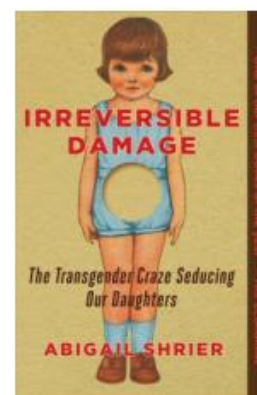
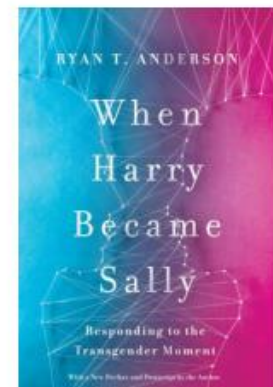
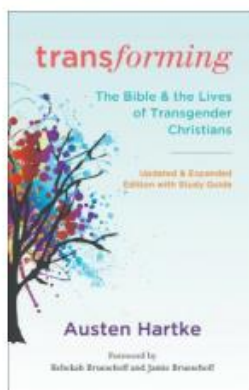
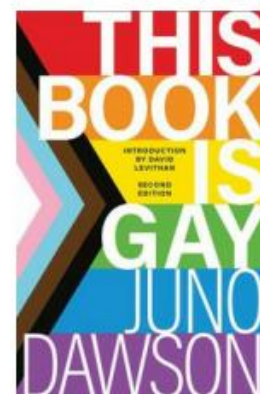
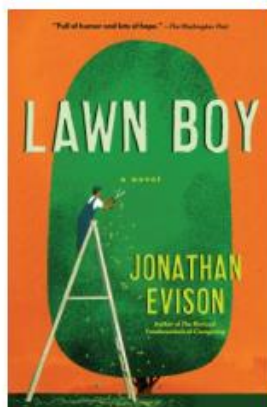
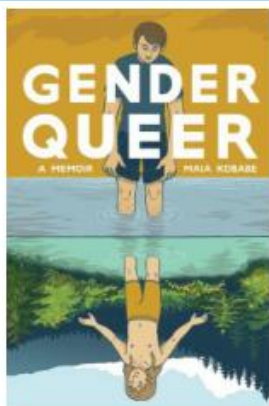


# DISCUSSION POINTS 1

- REMEMBER WE ARE NOT JUDGING CONTENT OR WHAT IS BEST FOR OUR USERS THEY ARE RESPONSIBLE FOR THEMSELVES, WE PROVIDE THE ACCESS TO WHAT THEY WANT. MAKE NO ASSUMPTIONS ABOUT WHY A USER ASKS FOR A BOOK
- WE WILL NOT CENSOR MATERIALS BASED ON AGE – WE ARE REPS OF THE LIBRARY NOT PARENTS OF OUR USERS

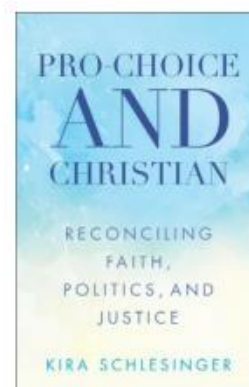
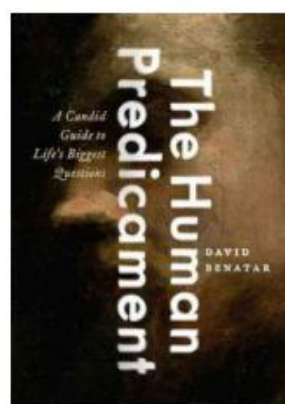
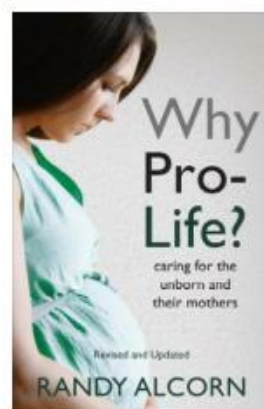
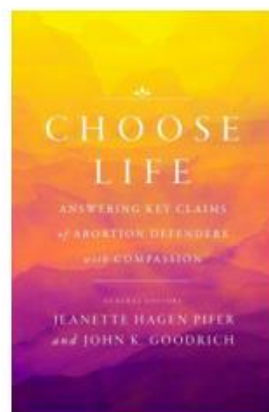
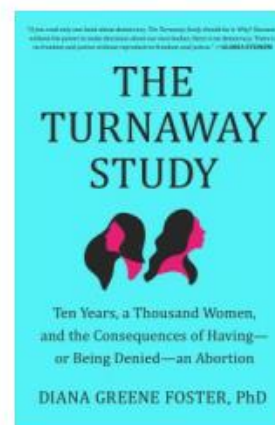
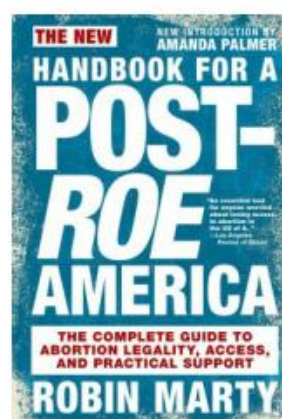
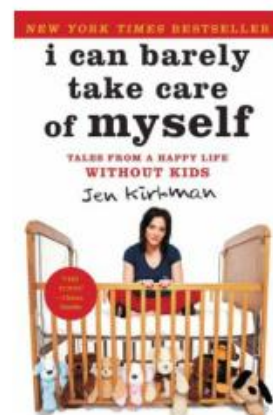
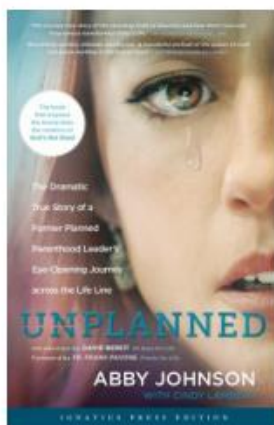
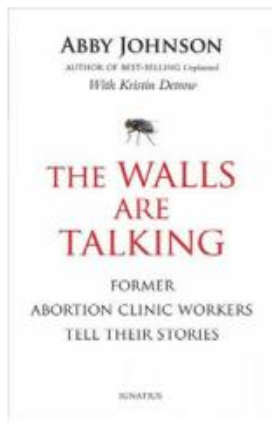
# FREE PEOPLE READ FREELY

This library supports your right to read what you want.



# FREE PEOPLE READ FREELY

This library supports your right to read what you want.







# **SCENARIO 2**

**A USER COMES TO COMPLAIN ABOUT THE  
TRANSGENDER INFORMATION SESSION BEING  
OFFERED BY YOUR LIBRARY. THE CUSTOMER FEELS  
THE CONTENT IS NOT APPROPRIATE FOR CHILDREN.  
WHAT INTELLECTUAL FREEDOM STEPS WOULD YOU  
TAKE TO RESPOND?**



# DISCUSSION POINTS 2

- **Listen:** The customer says he is particularly concerned that children could attend the event without an adult present. He is also concerned that this program promotes a liberal sexual agenda.
- **Empathize:** I can understand your concerns, and first want to let you know that the Library fully respects a parent/guardian's right to decide what library materials and content is of interest to and appropriate for their family.
- **Advocate:** Because of that, we strive to have programs that meet the needs of everyone in our diverse communities. Sometimes you'll find we have content that you don't agree with, and that's okay because we truly value feedback from library customers.
- **Redirect:** I'd be happy to help you find something that better suits your needs and the needs of your family.
- **Notify managers.**

# WHAT IF IT'S NOT ENOUGH? 2

- THE CUSTOMER SAYS THAT YOUR RESPONSE IS UNACCEPTABLE AND THE LIBRARY MUST STOP OFFERING SEXUALLY EXPLICIT EVENTS. HE WANTS TO KNOW WHO HE NEEDS TO TALK TO IN ORDER TO HAVE THE WHOLE THING SHUT DOWN.
- AT THIS POINT, THE EXPRESSION OF CONCERN HAS TURNED INTO A MORE FORMAL COMPLAINT. GET YOUR MANAGER – IT'S THEIR TURN
- WHAT IF YOUR COUNTY COMMISSIONER OR A BOARD MEMBER COMES IN TO ASK ABOUT THE PROGRAM? WHILE TALKING WITH YOU THEY SUGGEST THAT A POSSIBLE SOLUTION WOULD BE TO CARD CUSTOMERS AT THE DOOR AND PUT A CONTENT WARNING ON THE PROGRAM DESCRIPTION. WHAT DO YOU DO? AGREE OR NOT? - ANSWER CANNOT SIMPLY BE GET YOUR MANAGER, THINK ABOUT THIS, IT'S IMPORTANT.





# SCENARIO 3

A PARENT COMPLAINS TO YOU ABOUT THE  
“INAPPROPRIATE IMAGES” IN *RABBIDS VOLUME 1*, A  
GRAPHIC NOVEL HER SON HAS BEEN READING.

HOW SHOULD YOU HANDLE THIS?

# DISCUSSION POINTS 3

- WHILE EXPRESSING HER CONCERNS THE USER TELLS YOU THAT SHE WAS SURPRISED BY THIS VOLUME SPECIFICALLY SINCE SHE HAD NEVER NOTICED THE SERIES TO BE INAPPROPRIATE FOR HER SON BEFORE
- EMPATHIZE: “THAT IS A STRANGE INCONSISTENCY” – LEADS YOU TO ADVOCATE
- ADVOCATE: WE HAVE A WIDE VARIETY OF MATERIALS, THAT WE TRY TO ENSURE IS REPRESENTATIVE OF EVERYONE AND THEIR INTERESTS. THE ISSUE IS THAT WHAT IS APPROPRIATE IS SUBJECTIVE AND THE LIBRARY TRIED VERY HARD NOT TO BE THE JUDGE OF CONTENT, WE TRUST OUR USERS TO ACCEPT THE GOOD AND REJECT THE BAD OR WHAT THEY FEEL IS INAPPROPRIATE FOR THEM INDIVIDUALLY.
- REDIRECT: THERE ARE SOME REVIEW SITES WHERE SCHOOL AND CHILDREN’S LIBRARIANS REVIEW JUVENILE & TEEN GRAPHIC NOVELS THAT COULD BE A HELPFUL RESOURCE IN THE FUTURE, LETS SEE WHAT ELSE WE CAN FIND THAT MIGHT INTEREST YOUR CHILD
- TELL YOUR MANAGER



# WHAT IF IT'S NOT ENOUGH? 3

- WHAT IF THE USER IS STILL ADAMANT ABOUT HER CONCERN, SHE SHOULDN'T HAVE TO READ & LOOK THROUGH EVERY BOOK HER CHILD PICKS UP. WHILE SHE APPRECIATES THE WEBSITE FOR FUTURE USE, SHE REALLY WANTS SOMEONE TO EVALUATE THE MATERIAL FOR INCLUSION IN THE JUVENILE COLLECTION
- AT THIS POINT, THE EXPRESSION OF CONCERN HAS TURNED INTO A MORE FORMAL COMPLAINT. GET YOUR MANAGER – IT'S THEIR TURN
- BUT WHAT IF THE MANAGER IS NOT AVAILABLE AND THE USER IS VERY INSISTENT THAT THEY BE GIVEN RECOURSE?
- IF YOUR MANAGER IS UNAVAILABLE GIVE THE USER THE RECONSIDERATION FORM, WITH YOUR MANAGERS CARD
- INFORM THE USER THAT THEY NEED TO FILL OUT THE FORM AND LEAVE IT OR DROP IT BACK BY SO THEY CAN THEN SPEAK WITH A MANAGER ABOUT THEIR COMPLAINT – TELL YOUR MANAGER



# SCENARIO 4

A COWORKER COMES IN UPSET AFTER READING A REVEALING ARTICLE ABOUT THE EARLY WORK OF DR. SEUSS BEFORE HE BEGAN WRITING CHILDREN'S BOOKS. SHE WANTS TO KNOW WHY THE LIBRARY WOULD RETAIN THE *SEUSS 6* THAT HAVE AT LEAST BEEN CANCELLED FOR FUTURE PUBLICATION.

HOW DO YOU HAVE THIS INTELLECTUAL FREEDOM CONVERSATION?

# DISCUSSION POINTS 4

- FIRST LISTEN YOUR COWORKERS ARE LIBRARY USERS TOO. YOUR COWORKER GOES ON TO SAY THAT SHE THINKS TO RESERVE SPACE ON THE LIBRARY'S SHELF IS IMPLICATION THAT IT PROMOTES SUCH NEGATIVISM IN LITERATURE. AND STRESSES WE WOULD BE SHOWING INSENSITIVITY TO OUR BIPOC READERS BY RETAINING THEM. PERHAPS, SHE SUGGESTS, WE SHOULD TAKE A STAND FOR THE RIGHTS OF THOSE MALIGNED BY RACIST AUTHORS.
- WHAT IF IT'S JUST OUR WHITE PRIVILEGE ALLOWING US TO STAND AGAINST THE CENSORSHIP OF RACIST MATERIAL LIKE THIS?
- BUT WHO MAKES THE DECISIONS ON WHAT TO REMOVE DUE TO RACIST CONTENT, IS THIS AS SUBJECTIVE AS PORN? WHERE DOES IT STOP? DO WE GET RID OF MEIN KAMPF? ROALD DAHL? TEXAS STATE LIBRARY HAS A CLAUSE IN IT'S WEEDING POLICY THAT WOULD ALLOW LIBRARIANS TO WEED BASED ON RACIST CONTENT, BUT THERE ARE NO OTHER GUIDELINES DETAILED
- EMPATHIZE: I CAN UNDERSTAND WHY THIS IS A DIFFICULT ISSUE TO UNDERSTAND AND DECISION TO SUPPORT, MANY LIBRARIANS HAVE BEEN DISCUSSING THIS AND HAVE MIXED FEELINGS.

# DISCUSSION POINTS 4

- **ADVOCATE: FREEDOM TO READ STATEMENT:** Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated. The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. AND What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.
- **REDIRECT: ASK HER TO HELP BUILD A NEW PICTURE BOOK DISPLAY OR A CENTERING BIPOC DISPLAY IN THE JUVENILE COLLECTION THAT SHOWCASES BOOKS THAT WOULD BE WELCOMING AND BENEFICIAL FOR FAMILIES TO READ TOGETHER.**
- **TELL YOUR MANAGER - MAYBE SUGGEST THE WHOLE STAFF DO AN IF REFRESHER AND TALK ABOUT CENSORSHIP, INTELLECTUAL FREEDOM VALUES AND BALANCING THEM WITH OUR COMMITMENT TO BE ANTI-RACIST.**



# SCENARIO 5

A USER APPROACHES THE DESK TO TALK ABOUT THE TITLE, *IT'S PERFECTLY NORMAL*, SHE WANTS IT REMOVED FROM THE CHILDREN'S SECTION BECAUSE OF THE SEXUALLY EXPLICIT CONTENT AND DRAWINGS.

WHAT INTELLECTUAL FREEDOM STEPS WOULD YOU TAKE TO RESPOND TO THIS REQUEST?

# DISCUSSION POINTS 5

- FIRST LISTEN TO THE USER'S COMPLAINT; STAFF ARE EXPECTED TO REMAIN NEUTRAL AND RESERVE PERSONAL OPINIONS ON THE ISSUE. AS YOU LISTEN THE CUSTOMER EXPLAINS THEY ARE WORRIED YOUNGER CHILDREN WILL BE ABLE TO ACCESS THE BOOK IN THE CHILDREN'S SECTION, SHE WOULDN'T WANT HER CHILDREN LOOKING AT THE BOOK.
- LIBRARIES VALUES THE OPINIONS OF ITS COMMUNITY OF USERS
- LIBRARY CARD HOLDERS ARE FREE TO EXPRESS OPINIONS OR CONCERNS ABOUT LIBRARY MATERIALS; THIS DISTINCTION IS USUALLY MADE DUE TO ACTIVIST GROUPS WHO MAY MAKE IT A PRACTICE TO MASS PROTEST SPECIFIC TITLES OR ITEM IN ALL LIBRARIES
- ADVOCATE, THE LIBRARY HAS SOMETHING FOR EVERYONE AND IS REPRESENTATIVE OF EVERYONE, PUBLIC LIBRARIES EXPECT THAT PARENTS WILL MAKE DETERMINATION ON WHAT THEIR CHILDREN CHECK OUT. AND WHILE WE APPRECIATE FEEDBACK WHAT MAY BE INAPPROPRIATE FOR ONE FAMILY/CHILD IS NOT NECESSARILY INAPPROPRIATE FOR ANOTHER, IT'S THE FREEDOM TO READ - FOR EVERYONE NOT JUST ONE VIEWPOINT
- ASK THEM WHAT THEY WERE LOOKING FOR AND HELP THEM FIND A BOOK THEY DO AGREE WITH



# WHAT IF IT'S NOT ENOUGH? 5

- THE USER RECEIVES FOLLOW UP COMMUNICATION TO THE RECONSIDERATION FORM, INFORMING HER THAT THE LIBRARY WILL RETAIN THE TITLE AND IT WILL REMAIN IN THE CHILDREN'S SECTION. SHE ISN'T HAPPY AND TAKES IT TO SOCIAL MEDIA, WHERE A MOB MENTALITY BEGINS TO GROW. A LOCAL POLITICIAN LOOKING TO BE RE-ELECTED DECIDES TO TAKE UP THE CHALLENGE AND DECIDES TO TAKE IT TO THE LIBRARY BOARD.
- TALKING POINTS ARE: RECONSIDERATION POLICY - WHAT ARE THE STEPS BEING SKIPPED
- WHAT IF THEY DECIDE A COMPROMISE IS TO SIMPLY REASSIGN THE TITLE TO THE ADULT SECTION OR PUT IT BEHIND THE DESK? IS THIS A REASONABLE CONCESSION?
- HOW DO LIBRARIANS RESPOND? ALLYSHIP, COMMUNITY PARTNER NETWORK THAT WILL SUPPORT LIBRARY VALUES, PROACTIVE COMMUNICATION WITH COMMUNITY ABOUT LIBRARY VALUES AND OUR STANCE AGAINST CENSORSHIP AND FOR INTELLECTUAL FREEDOM. BARRIERS TO ACCESS IS CENSORSHIP
- REACHING OUT FOR SUPPORT: MLA IFC, ALA OIF, NATIONAL COALITION AGAINST CENSORSHIP, MERIT FUND, COMICBOOK LEGAL DEFENSE FUND.



# SCENARIO 6

**A MOM CALLS TO CHECK ON THE BOOKS HER TEEN HAS CHECKED OUT. SHE SAYS THAT HE HAS BEEN IN SOME TROUBLE AND SHE JUST WANTS TO SEE WHAT IS CURRENTLY CHECKED OUT AND WHAT FINES HE HAS ALREADY ACCRUED.**

**WHEN IS IT OKAY TO PROVIDE THIS INFORMATION AND WHEN WOULD IT BE A VIOLATION OF PRIVACY?**



# DISCUSSION POINTS 6

- DUE TO USER PRIVACY WE ARE UNABLE TO SHARE INFORMATION ABOUT SOMEONE ELSE'S ACCOUNT, THIS HOLDS TRUE FOR SOMEONE PAYING ON SOMEONE ELSE'S ACCOUNT, WE CAN ALLOW THEM TO PAY FINES BUT CANNOT GIVE THEM AN ITEMIZED RECEIPT, THEY CAN HAVE THEIR COPY OF A CREDIT CARD RECEIPT IF PAYING THAT WAY AND WE WILL RETAIN THE ITEMIZED RECEIPT IF THE ACCOUNT OWNER WOULD LIKE TO PICK IT UP
- PARENTS OR GUARDIANS OF UNDER AGED CHILDREN ARE ULTIMATELY FINANCIALLY RESPONSIBLE FOR ACCOUNTS AND THEREFORE DO HAVE THE RIGHT TO REQUEST ACCOUNT INFORMATION
- HOWEVER, OUR PREFERENCE WOULD BE THAT THE CHILD BE PRESENT AND WE WILL STILL MAKE AN EFFORT TO ENSURE USER PRIVACY OF CIRCULATION MATERIALS
- GIVE ONLY THE INFORMATION THEY ARE REQUESTING AND ATTEMPT TO GIVE IT INCREMENTALLY
- DISCUSSION DIFFERENT AGES OF CHILDREN



# SCENARIO 7

AFTER RETURNING THE DVD, *DEADPOOL*, A USER COMPLAINS TO YOU ABOUT THE EXCESSIVE SEXUAL CONTENT OF THE MOVIE, AND EXPRESSES CONCERN ABOUT IT BEING AVAILABLE TO CHILDREN FOR CHECKOUT.

HOW WOULD YOU HANDLE THIS CONCERN?

# DISCUSSION POINTS 7

- WHILE LISTENING THE USER TELLS YOU THEY ARE WORRIED ABOUT R-RATED MOVIES BEING AVAILABLE FOR CHECKOUT BY CHILDREN AT THE LIBRARY EVEN THOUGH THEY WOULD NOT BE ALLOWED TO SEE IT IN A THEATER WITHOUT A PARENT, AND ASKS ABOUT LABELING AND/OR REGULATING CHECKOUTS
- EMPATHIZE: “I UNDERSTAND THAT CONCERN” – LEADS YOU TO ADVOCATE
- ADVOCATE: WE TRUST OUR USERS TO ACCEPT THE GOOD AND REJECT THE BAD AS INDIVIDUAL CHOICES, WE STRIVE TO HAVE A BALANCED COLLECTION THAT HAS SOMETHING FOR EVERYONE AND REPRESENTATIVE OF EVERYONE AND WHILE THIS MIGHT NOT BE THE MOVIE FOR YOU AND YOUR FAMILY IT MIGHT BE RIGHT FOR ANOTHER
- WE DO NOT LABEL OUR MATERIALS IN WAYS THAT MIGHT BE A BARRIER TO ACCESS FOR OUR USERS, BUT WE DO RETAIN THE RATING LABELS THE DVDS CAME WITH SO USERS CAN BE AWARE WHAT THEY CHOOSING TO CHECKOUT. WE TRUST THAT PARENTS WILL BE THE JUDGE FOR WHAT IS APPROPRIATE FOR THEIR CHILDREN TO READ AND WATCH RATHER THAN MAKING THOSE ASSUMPTIONS AS A LIBRARY
- REDIRECT: SHOW HER HOW WE DO SEPARATE JUVENILE MOVIES FROM ADULT AND EXPLAIN THE GENRE STICKERS. WE HAVE SEVERAL OTHER SUPERHERO MOVIES AVAILABLE, AND EVEN SOME ANIMATED DEADPOOL ITEMS THAT MIGHT WORK FOR THEIR FAMILY
- TELL YOUR MANAGER

# WHAT IF IT'S NOT ENOUGH? 7

- WHAT IF THE USER IS STILL ADAMANT THAT SOMETHING LIKE *DEADPOOL* SHOULD NOT BE AVAILABLE FOR CHILDREN TO CHECKOUT?
- AT THIS POINT, THE EXPRESSION OF CONCERN HAS TURNED INTO A MORE FORMAL COMPLAINT. GET YOUR MANAGER – IT'S THEIR TURN
- BUT WHAT IF THE MANAGER IS NOT AVAILABLE AND THE USER IS VERY INSISTENT THAT THEY BE GIVEN RECOURSE?
- IF YOUR MANAGER IS UNAVAILABLE GIVE THE USER THE RECONSIDERATION FORM, WITH YOUR MANAGERS CARD
- INFORM THE USER THAT THEY NEED TO FILL OUT THE FORM AND LEAVE IT OR DROP IT BACK BY SO THEY CAN THEN SPEAK WITH A MANAGER ABOUT THEIR COMPLAINT – TELL YOUR MANAGER



# **SCENARIO 8**

**WHILE ASSISTING A USER AT A PUBLIC COMPUTER THEY BEGIN A DISCUSSION WITH YOU ABOUT HOW WORRIED THEY ARE WITH THE CURRENT POLARIZATION IN OUR COUNTRY. THEY GO ON TO TELL YOU THEIR VAX STATUS, ASK YOU IF YOU'VE BEEN VAXXED AND THEN WANT TO TALK ABOUT THE FEDERAL VAX MANDATES.**

**IS THIS A VIOLATION OF INTELLECTUAL FREEDOM? IF SO, PLEASE EXPLAIN.**

# DISCUSSION POINTS 8

- THIS IS AN IF ISSUE, AS LIBRARY EMPLOYEES WE SHOULD NOT INFLUENCE CUSTOMERS WITH OUR OWN VALUES, ETHICS OR MORALS
- STAFF MEMBERS ARE REQUIRED TO LEAVE THEIR PERSONAL ETHICS & MORALS AT THE DOOR AND EMPLOYEE PROFESSIONAL ETHICS IN ANY INTERACTIONS, THIS INCLUDES KEEPING IN MIND CUSTOMERS WHO MAY BE LISTENING TO THE CONVERSATION
- REDIRECTION IS AN APPROPRIATE RESPONSE TOOL AND MIGHT SOUND LIKE: “THAT’S INTERESTING, MAY I HELP YOU WITH ANYTHING LIBRARY RELATED?” “WE HAVE RESOURCES ON THAT TOPIC AND I CAN HELP YOU FIND THEM”
- IT IS ACCEPTABLE TO SIMPLY TELL CUSTOMERS THAT AS A REPRESENTATIVE OF THE LIBRARY YOU ARE NOT AT LIBERTY TO DEBATE MASK AND VAX ISSUES, BUT YOU CAN OFFER THEM INFORMATION
- YOUR VAX STATUS IS PRIVATE AND SO IS THAT OF ALL YOUR COWORKERS, IF WEARING A MASK IS NOT MANDATED IN YOUR AREA, THE CHOICE TO WEAR A MASK IS PERSONAL - DO NOT BE BARRIER TO ACCESS



# MORE SCENARIOS

## Missouri Library Association IFC TRAINING MATERIALS

<http://molib.org/get-involved/committees/intellectual-freedom/>



We received a request to add warning labels on library materials for “graphic content” - what would your response be?

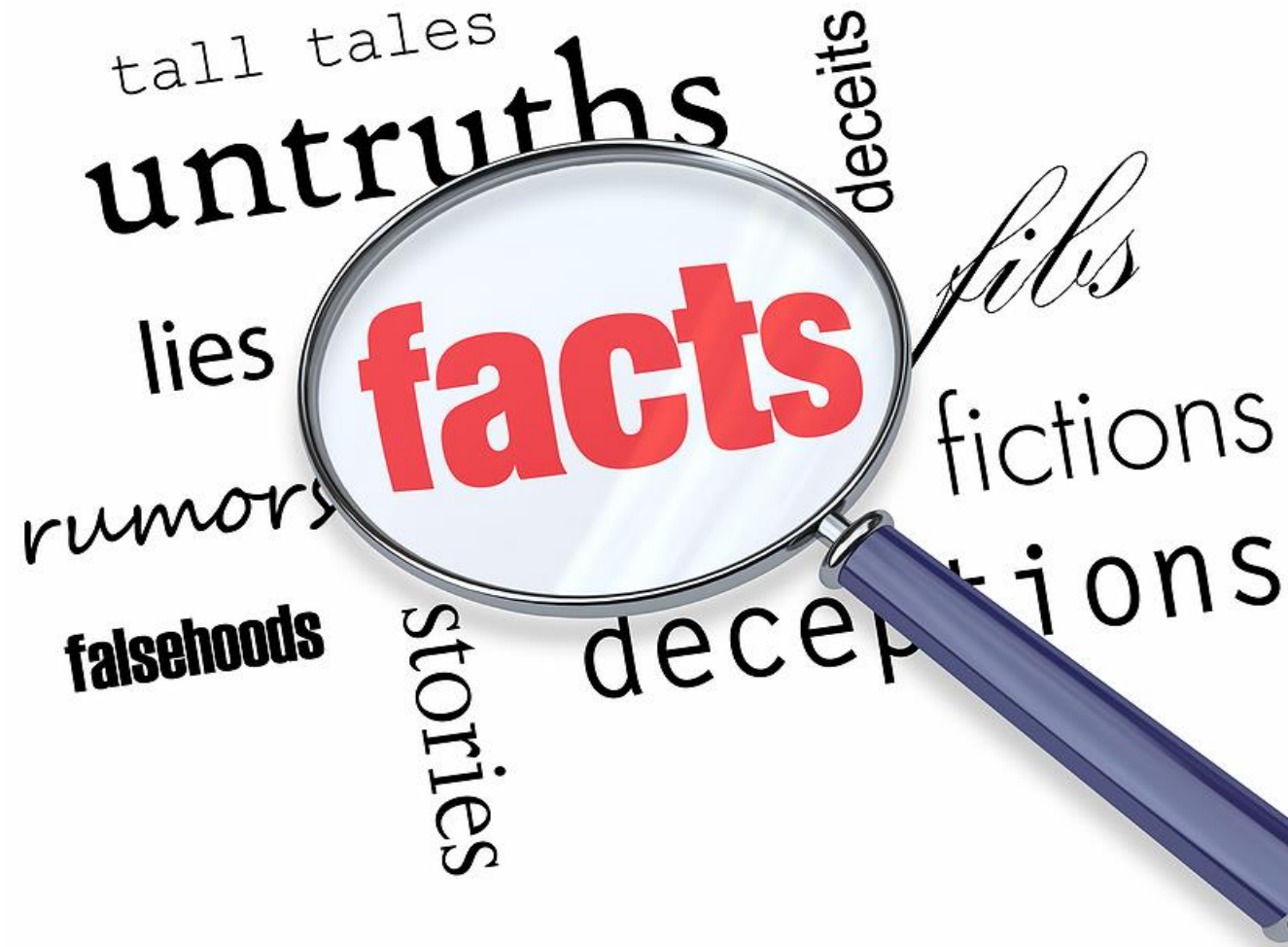


True or False:  
A seven year old can check out a rated R DVD.

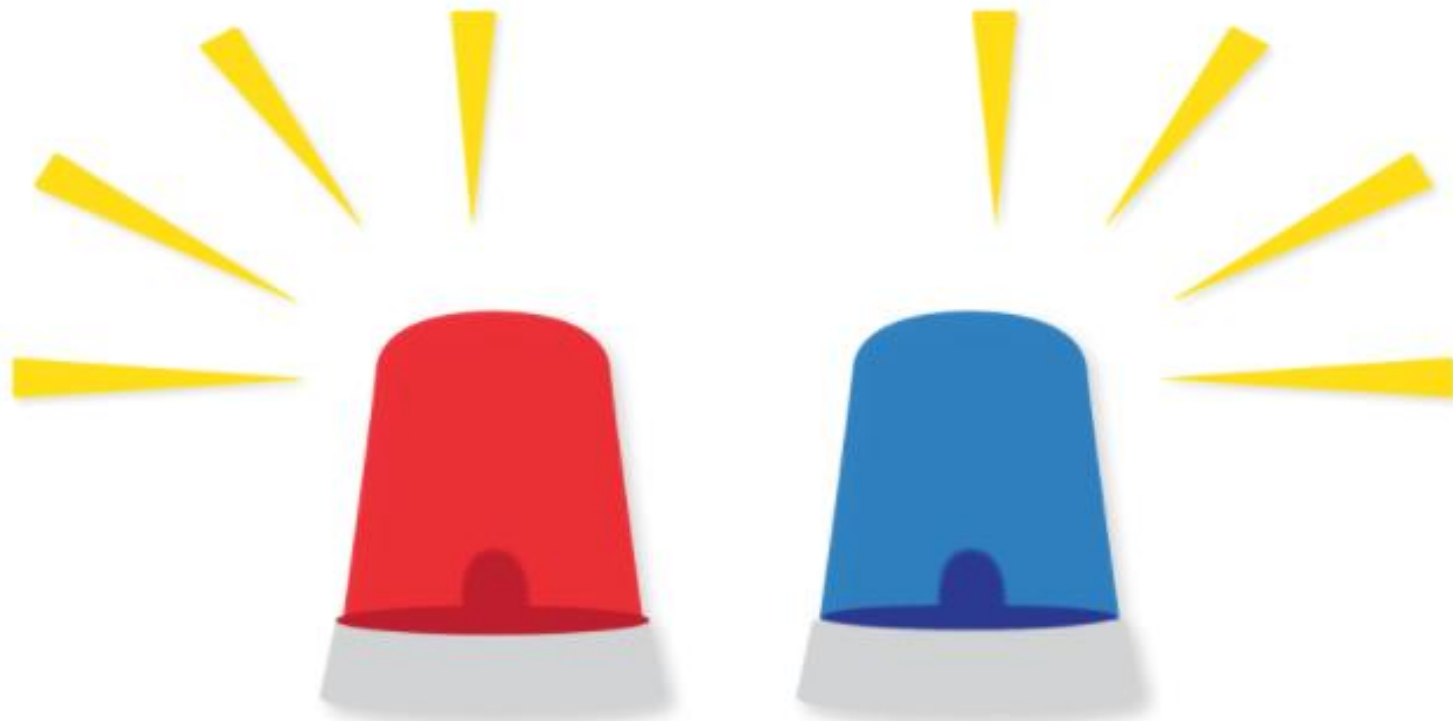




## What about Factually Inaccurate Materials?



True or False:  
If they do not give consent,  
it is unlawful to video record a library staff member.



True or False:  
To be “safe spaces”, libraries should avoid materials and events  
that some community members may find offensive.

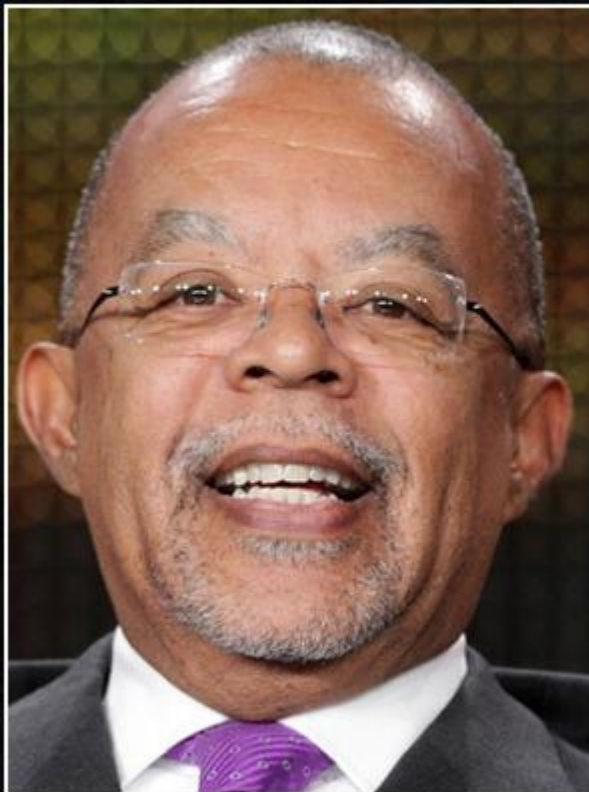


# FINAL THOUGHTS

WHY MUZZLE FREE SPEECH WHEN  
READING HAS A BETTER THAN 99.99%  
SURVIVAL RATE?

Effective Conservative appeals -- Government overreach, Constitutional rights,  
fearmongering

# FINAL THOUGHTS



Censorship is to art as lynching is to justice.

— Henry Louis Gates —

AZ QUOTES



# FINAL THOUGHTS

FIRST AMENDMENT ALSO PROTECTS  
FREEDOM OF RELIGION

INTELLECTUAL FREEDOM  
(THE FREEDOM TO READ) IS  
JUST AS SACRED

**\*AND PROTECTED\* AS THE FREEDOM TO  
WORSHIP**

## 1<sup>st</sup> Amendment Freedom of Religion

### The Establishment Clause

*"Congress shall make no law respecting an establishment of religion"*

- Prohibits the Government from establishing an official state-sanctioned religion.
- Prohibits the Government from showing a preference for one religion over another.

### The Free Exercise Clause

*"Congress shall make no law . . . prohibiting the free exercise thereof"*

- Protects the right of American citizens to hold (or not) any religious belief and engage in religious rituals
- Also seems to allow for the violation of laws so long as the violation is made for religious purposes\*\*



# FINAL THOUGHTS

“We don’t oppose the ability of parents to guide their children’s reading. What we have deep concerns about is one parent, or one small group of parents, making decisions for an entire community about what is appropriate reading, based on their own moral and religious values.”

-- Deborah Caldwell-Stone, Director of the American Library Association’s Office for Intellectual Freedom

# 5 STEPS . . .

**1. LISTEN** – SOMETIMES USERS JUST WANT TO BE HEARD & WE VALUE THEIR FEEDBACK

**1. EMPATHIZE** – DO NOT APOLOGIZE

**1. ADVOCATE** – AS A LIBRARY WE HAVE SOMETHING FOR EVERYONE & REPRESENTATIVE OF EVERYONE

**1. REDIRECT** – USE YOUR CUSTOMER SERVICE SKILLS & RA TOOLS, SHOW THEM WE HAVE SOMETHING FOR THEM TOO

**1. NOTIFY YOUR MANAGERS** – THEY WANT TO SUPPORT YOU & BE PREPARED FOR FUTURE COMPLAINTS

# QUESTIONS?

THIS PRESENTATION BROUGHT TO YOU BY  
THE OLA INTELLECTUAL FREEDOM COMMITTEE

REMEMBER OUR COMMITTEE PAGE AS A RESOURCE

SEARCH: OLA INTELLECTUAL FREEDOM TOOLKIT