

# LOUISIANA LIBRARIES

LOUISIANA LIBRARY ASSOCIATION

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on the cover

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## From the Editor



Major social changes have shaken American society since *Louisiana Libraries* published its last Intellectual Freedom Manual. Having the most current laws and sources at hand is vital for librarians if we hope to optimize the availability of information to our citizenry. We hope that this manual will give you the tools necessary for creating and promoting sound library policies and practical procedures concerning intellectual freedom. If we are to effectively refute restrictions of access, it is incumbent on us not only to understand our value as protectors of these freedoms, but to learn the current standards and statutes that

apply to them. This manual contains the most current information available.

I am so grateful to Charlene Cain for guest editing the 2006 Intellectual Freedom Manual. Her diligence and devotion inspired her to work countless hours to make this manual happen. Thank you, Charlene, for your commitment to this cause.

Vivian Solar

**Rita Margaret Wilhite**, Assistant Director of the St Charles Parish Library, passed away on Monday, January 9, 2006 after a battle with cancer. Margaret began working for the St Charles Parish Library in June 1988 as the Children's Librarian and was named Assistant Director in 1990. She received her Masters Degree in Library and Information Science from Louisiana State University in May of 1988. She also received a Masters Degree in 1976 and a Doctorate Degree in Anthropology in 1977 from Washington University and spent several years as a college professor before pursuing a career in libraries. Margaret was a valuable and well-respected member of the Louisiana's library community. Her article on intellectual freedom in public libraries is included in this manual.

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# From the President

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I'd like to begin 2006 by wishing all library directors, staff, trustees and patrons a very Happy New Year!!! May 2006 bring health and happiness to each and every one of you.

This issue of Louisiana Libraries contains the LLA Intellectual Freedom Manual. My thanks go to Charlene Cain and her committee for all of their hard work on revising the 2000 edition. We begin a new year with information needed to protect our intellectual freedom.

I'd like to reflect on my ideas of some of our "freedoms". Freedom is something that needs to be appreciated, cherished not taken for granted and believed to be a privilege. Any misuse can cause any freedom to be taken away. Libraries provide many items that are "free". The service to our patrons: school children, teachers, college students and professors, doctors, lawyers, professionals of all kinds and public library users, is "free". Most of these people have the freedom of choice – to choose what they want to read. This freedom doesn't pertain to just books and magazines but extends to videos and DVDs that can be checked out for educational as well as recreational use, to books on cassettes and cds, music cds, and many other types of materials that are found in our state's libraries.

Outside of the library buildings and environment, we have many additional freedoms. We have the freedom to choose what we want to do with our lives; the freedom to watch what we choose on television; and the freedom to listen to the radio station of our choice. Each of these freedoms is limited due to financial situations, service providers choices and geographical locations. Everyone has the right to travel either by physically going to a location or by visiting via a book from your local library.

We are also free to listen to older members of our family or community talk about the "old times" and are free to pass this information on via the oral tradition.

Are we not free to enjoy the sun, the rain, the snow? Are we not free to enjoy the birds that sing, animals that love us, insects that peak our imagination, and plants and animals that sustain our lives? We are also free to study the moon, the sun and the stars, the planets and worlds beyond.

One of our basic freedoms is the freedom to vote. This privilege should never be taken lightly. Many of our life changing freedoms depend on our vote on certain items!

The libraries throughout this great state of ours provide a means of securing each of these freedoms. We can use videos, DVDs, cassettes, and cds to enjoy sights and sounds not native to our own communities. We can use books and other materials to visit places we've never seen, to learn about the celestial bodies, and to learn what animals and plants supply for our survival.

Every freedom comes with limitations: financial, geographical, physical, and mental, just as the intellectual freedom for our patrons also has some limitations. Our patrons can search the internet for needed information and can check out library materials to supplement an assignment or project without asking permission. As with all things, abuse leads to restricted freedoms.

As you look over the Intellectual Freedom Manual, think of the freedoms we enjoy as a nation of readers. Let this manual be your support and guidance for anything dealing with these matters.

*Jackie Choate*

*In memoriam*  
**Alexander Peter Allain**  
**1920-1994**

To describe the depth of Alex Allain's influence on librarians in the United States is a study of how one citizen with great knowledge, idealism, and open-heartedness can influence an entire profession. Born in Louisiana in 1920, Mr. Allain spent a great part of his life defending that most basic guarantee of freedom in American life, the right of expression. Awarded a law degree from Loyola University in New Orleans in 1942, he used that knowledge of the law to develop a nation-wide mechanism for the defense of librarians serving the cause of intellectual freedom.

Mr. Allain was a widely traveled man, having served during the latter years of World War II in Casablanca as a liaison officer with the French Navy and as a personal aid and administrative assistant to Commodore Lyman S. Perry. It was during the nineteen fifties, when libraries both overseas and stateside were under attack as hotbeds of communist sentiment, that Alex Allain began his vast service to libraries with an appointment to the first St. Mary Parish Library Board of Control. He pursued his interest in the work of trustees, and in 1963 he was instrumental in the formation of the American Library Trustee Association (ALTA) Committee on Library Freedom. Here at home he organized the Council of Louisiana Trustees (COLT) to coordinate library and library trustee activities throughout the state.

Mr. Allain chaired the first Louisiana Library Association Intellectual Freedom Committee in 1964 and remained in that position for several years. While maintaining his law practice and personal commitments to the Louisiana Knights of Columbus and scouting, he also wrote extensively on library development and trustee education. Nationally, he was much in demand as a speaker on trustee and intellectual freedom issues. Perhaps his greatest achievement was in helping to establish the Freedom to Read Foundation in 1969, and, as its first President, guiding the Foundation through the first five years of its existence. Thereafter, he served as the Foundation's Special Counsel.

He won numerous awards for his service to our profession, including LLA's Modisette Award for Trustees (1965), ALA's Trustee Award (1969), the University of Illinois' Robert B. Downs Award (1973), ALA Honorary Life Membership (1975), the John Phillip Immroth Memorial Award (1979), the Freedom to Read Foundation Roll of Honor Award (1989 and 1999), the Southeastern Library Association President's Award (1990), and the LLA Intellectual Freedom Award (1991).

With libraries as the focus of animosity from all sides of the political spectrum, librarians might wish that Alex Allain were here to offer his wise legal counsel, to articulate the ideals of our profession, and to lend us the courage to withstand attacks on those ideals. It is with pride and appreciation that we dedicate this revised edition of the Louisiana Library Association Intellectual Freedom Manual to the memory of Alexander P. Allain.



# Letter from the Past President

Dear Colleagues:

You won't see a Expiration Date slip at the back of this new *Intellectual Freedom Manual*, but you know and I know it needs one. That's how dynamic and sometimes unpredictable the delicate balance of intellectual freedom and homeland security can be. Yes, we live in dangerous times above a covert world that makes no bones about wanting to destroy us. And yes, we cherish the notion that intellectual freedom and the rights protected in the First and Fourteenth Amendments are some of the strongest weapons in our arsenal to combat that covert world.

The Louisiana Library Association promulgated its first *Intellectual Freedom Manual* in 1988, and the volume was followed by revisions in 1994 and in 2000. Now, almost six years later, LLA is proud to update its members with the latest instrument for their continuing concerns about intellectual freedom.

The structure of the *Manual* is as familiar as the structure of the challenges to intellectual freedom. Herein you will find articles to help you articulate the Constitutional foundations of intellectual freedom, along with key documents from LLA and from our parent organization, the American Library Association. These articles will provide you with the history and perspective of the library community about the frequently controversial issue of intellectual freedom and provide you with the assurance that your community offers support and guidance on the topic. And in a country bisected forever by 9/11, you will be relieved to see a new article on the U.S.A. P.A.T.R.I.O.T Act and its ramifications for our work and our lives.

I would like to thank Charlene Cain for again undertaking this revision and providing an overview of the topic in the academic world. A past president of LLA, she is a tireless and—this is a crucial requirement—fearless advocate for intellectual freedom. Our appreciation extends also to Dr. Margaret Wilhite and to Ladonna Guillot, who provide us with timely overviews of the topic in the public and school library arenas. Every member will be able to find pertinent information in this revision.

The terrorist alert levels issued by the government are analogues to the alert levels we try to ascertain in our professional library world. Ray Bradbury wrote that there “is more than one way to burn a book. And the world is full of people running about with lit matches.” Use this manual as your fire hose or, even better, as your fire prevention program.

Terry Thibodeaux  
2004-05 President  
Louisiana Library Association

# LIBRARIANS AND CENSORSHIP: THE ETHICAL IMPERATIVE

by Charlene C. Cain

## What is intellectual freedom?

Intellectual freedom is the right of individuals to express freely ideas and beliefs without restriction from government or other authorities. It includes the corresponding right of individuals to have unrestricted *access* to information and ideas regardless of the communication medium used, the content of the work, or the viewpoints of either the author or his audience--for the right to speak freely has no value if your audience has no right to hear what you have to say.

Freedom of speech, which is enunciated in the First Amendment to the Constitution of the United States and guaranteed for all citizens under the "equal protection" clause of the Fourteenth Amendment, is the cornerstone of American democracy. Commitment to the preservation of intellectual freedom is the ethical cornerstone of the library profession in the United States.

## What kind of speech is not protected by the Constitution?

Judicial review by the United States Supreme Court has established that certain kinds of speech are outside the realm of First Amendment protections. Words that provoke imminent hostile reaction--known as "fighting words"--are one type. Libel is also unprotected speech under the law, as are materials judged obscene. In *California v. Miller* (413 US 15, 1973) the Supreme Court established a test, which requires that three criteria be met for material to be considered obscene:

1. An average person, applying contemporary community standards, would find that the work, *taken as a whole*, appeals to the prurient interest;
2. The work depicts or describes in a patently offensive way, sexual conduct specifically defined by applicable state law; and
3. The work, *taken as a whole*, lacks serious literary, artistic, political, or scientific value.

## What is censorship?

No matter how ill-conceived or well-intentioned the reason, any restriction on freedom of expression and the right to receive information constitutes censorship.

## Why do people censor?

People censor for a variety of reasons. They may believe that punishing thought is as lawful as punishing action.<sup>0</sup> However, our legal system requires that an individual commit a harmful action before he or she is punishable under the law. It is not lawful to punish thought. The wisdom of this tradition is underscored by the fact that it is a rare thing for someone to *prove* that the written word (or performance or work of art) has caused actual harm--and those instances are covered under the three exceptions noted above--fighting words, libel, and obscenity.

Often, people are motivated by a need to protect the status quo. The very powerful may feel threatened by the dissemination of knowledge. Sometimes, as in the case of national security, that feeling may be justified. Likewise, laws against industrial espionage are seen as having value to our economic well-being. The problem arises when information is withheld for the purpose of keeping specific economic or social classes from progressing, which is antithetical to our democratic system.

Censors frequently believe that they are protecting someone else. These days most censors claim that they are protecting children—including other people’s children. That is where the conflict over library access begins. Under the law, and current library practice, a parent may choose to censor only his/her own children’s access to information, but not anyone else’s.

Sometimes, the thought processes of censors are imprecise. Supreme Court Justice Potter Stewart once wrote, “I can’t tell you what obscenity is, but I know it when I see it.” [Jacobellis v. Ohio, 378 US 197 (1963)]. In like manner, censors cannot demonstrate that the words they suppress actually pose a danger to society. If they could prove the danger, they could prove that the words cause illegal actions--which can be punished by law.

Some people have a difficult time distinguishing the literal from the literary. Our interpretation of what we read is grounded in previous experience, whether that experience is active or vicarious. The meaning we bring to what we hear/read/view is at least as important to our final impression as what the author intended.<sup>0</sup> Misguided though well-meaning individuals consider that their reactions to any given material might be universal. The tastes and backgrounds of our population are far too diverse to validate this belief.

Some censors have low tolerance for diversity, ambiguity, and conflict, because they see these things as dangerous to order and stability. They typically fail to understand that tolerance for the non-violent *expression* of these feelings reduces the likelihood of social instability over time.<sup>0</sup>

Finally, censors are afraid of free expression. They fear that the materials they find offensive will debase society. It falls to librarians, however, to rise above this fear. Although it is extremely difficult to exclude one’s own moral judgment from one’s work, that is precisely what librarians must do in order to serve their clientele.

### **Are librarians guilty of censorship?**

Many groups seeking to ban library materials state that librarians are the biggest censors of all. And sometimes they are right, as when we fail to select items that are personally repugnant to ourselves but which are of interest to our patrons. We also censor in far more surreptitious ways—by labeling, restricting access, and expurgation.

Labeling “is the practice of describing or designating materials by affixing a prejudicial label and/or segregating them by a prejudicial system.”<sup>0</sup> If libraries label according to the sensitivities of one group, labeling must be done for all groups.<sup>5</sup> Labeling also makes libraries vulnerable to libel suits brought by publishers, who may object to their materials being branded with a subjective designation.<sup>6</sup> Further, the fixing of a prejudicial designation formulated by a librarian is a manifestation of the librarian’s wish to imprint his/her own political or social beliefs upon the library. Such behavior, which is specifically prohibited under the Freedom to Read Statement<sup>7</sup>, diminishes the credibility of the library within the user community. By nature, the library should reflect the population of the community in all its diversity, not the character or beliefs of any one librarian.

Like labeling, restricting access to an item predisposes patrons to consider materials to be salacious or somehow dangerous. The requirement of intercession by an authority figure such as a librarian may deter a patron, especially a young person, from asking to see an item. When choosing to restrict any item, the librarian should ask herself or himself if deterrence is the actual motive, rather than preservation or security.

It seems incredible but it is true that some librarians are willing to expurgate library materials in order to make them more palatable to some library patrons. Expurgation is defined as “any deletion, excision, alteration, editing or obliteration of any part(s) ... of library resources by the library, its agent, or its parent institu-

tion.”<sup>8</sup> This is a direct violation of the Library Bill of Rights, because it restricts access to the full intent of the author, and thereby constitutes censorship.<sup>9</sup> Such action may also leave both the librarian and the library open to charges of copyright infringement, since under current law, the copyright holder's written permission is required for any alteration to be legal.<sup>0</sup>

The bedrock of all library work is selection—the creation and maintenance of a useful collection. It is our job to weigh practical selection considerations regarding why some materials are published by mainstream publishers and others fall to the alternative presses, and why some items are indexed in easily accessible databases and others are not.<sup>1</sup> Our communities have placed a public trust in our hands, and they depend upon our knowledge and professionalism. Ensuring broad and impartial coverage is the best way to establish a library's credibility with patrons at all points of the political spectrum. The only way to do that is to select in a positive way—to be as inclusive as our budgets and resources allow.<sup>2</sup>

1. Harry White, *Anatomy of Censorship: Why the Censors Have It Wrong* (Lanham: University Press of America, 1997), p.27.
2. Kay E. Vandergrift, “Children and Intellectual Freedom, Challenge and Responsibility,” *New Jersey Libraries* (Fall 1989): 5.
3. White, *Anatomy of Censorship*, p.112.
4. American Library Association, *Intellectual Freedom Manual*, 5th ed. (Chicago: American Library Association, 1996), 111.
5. *Ibid.*, p.143.
6. *Ibid.*, p.117.
7. *Ibid.*, p.129.
8. *Ibid.*, p.79.
9. *Ibid.*, pp.3 and 79.
0. *Ibid.*
1. Celeste West, “The Secret Garden of Censorship: Ourselves,” *Library Journal* 108 (September 1, 1983): 1652.
2. Lester Asheim, “Not Censorship But Selection,” *Wilson Library Bulletin* 28 (September 1953): 66.

## **THE FOUNDATIONS OF INTELLECTUAL FREEDOM:**

### **The First Amendment, Constitution of the United States of America**

Intellectual freedom can be defined as the freedom of thought, inquiry, and expression. It is the freedom that is most clearly enunciated in the First Amendment to the U. S. Constitution:

Congress shall make no laws respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press or the right of the people peaceably to assemble and to petition the government for a redress of grievances.

### **The Fourth Amendment, Constitution of the United States of America**

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

### **Universal Declaration of Human Rights, adopted December 10, 1948, by the General Assembly of the United Nations**

#### **Article 19**

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.



## KEY DOCUMENTS FROM THE AMERICAN LIBRARY ASSOCIATION

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### **The Library Bill of Rights**

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

1. 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.
2. 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.
3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
5. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
6. 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.

Adopted June 18, 1948. Amended February 2, 1961, and January 23, 1980, inclusion of "age" reaffirmed January 23, 1996, by the ALA

In addition to the Bill of Rights, the American Library Association has issued interpretations of the Library Bill of Rights on various issues such as free access to libraries for minors, labeling of library materials, library meeting rooms and exhibit spaces, and sexism and racism in library materials. These interpretations may be found in the American Library Association's Intellectual Freedom Manual, on ALA's website ([www.ala.org](http://www.ala.org)), or they may be obtained from the Office for Intellectual Freedom of the American Library Association (50 East Huron Street, Chicago, IL 60611; 1-800-545-2433 Ext. 4223, or [oif@ala.org](mailto:oif@ala.org)).

### **The Freedom to Read Statement**

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to avoid the subversion of politics and the corruption of morals. We, as citizens devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary

citizen, by exercising critical judgment, will accept the good and reject the bad. The censors, public and private, assume that they should determine what is good and what is bad for their fellow citizens.

We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they need the help of censors to assist them in this task. We do not believe they are prepared to sacrifice their heritage of a free press in order to be “protected” against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings.

The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights. We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox or unpopular with the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. *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.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves.

These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

5. *It is not in the public interest to force a reader to accept with any expression the prejudgment of a label characterizing it or its author as subversive or dangerous.*

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for the citizen. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society.

Freedom is no freedom if it is accorded only to the accepted and the inoffensive.

7. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. 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 citizens the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953; revised January 28, 1972, January 16, 1991, July 12, 2000, by the ALA Council and the AAP Freedom to Read Committee.

A Joint Statement by: American Library Association  
Association of American Publishers

Subsequently Endorsed by:  
American Society of Journalists and Authors  
The Media Institute  
National PTA  
The Thomas Jefferson Center for the Protection of Free Speech

### **Statement on Professional Ethics**

- I. We provide the highest level of service to all library users through appropriate and usefully organized resources; equitable service policies; equitable access; and accurate, unbiased, and courteous responses to all requests.
- II. We uphold the principles of intellectual freedom and resist all efforts to censor library resources.
- III. We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted.
- IV. We recognize and respect intellectual property rights.
- V. We treat co-workers and other colleagues with respect, fairness and good faith, and advocate conditions of employment that safeguard the rights and welfare of all employees of our institutions.
- VI. We do not advance private interests at the expense of library users, colleagues, or our employing institutions.
- VII. We distinguish between our personal convictions and professional duties and do not allow our personal beliefs to interfere with fair representation of the aims of our institutions or the provision of access to their information resources.
- VIII. We strive for excellence in the profession by maintaining and enhancing our own knowledge and skills, by encouraging the professional development of co-workers, and by fostering the aspirations of potential members of the profession.

Adopted by the ALA Council, June 28, 1995,  
<<http://www.ala.org/ala/oif/statementspols/codeofethics/codeethics.htm>> (September 4, 2005).

## **RESOLUTION ON THE USE OF FILTERING SOFTWARE IN LIBRARIES**

**WHEREAS**, On June 26, 1997, the United States Supreme Court issued a sweeping re-affirmation of core First Amendment principles and held that communications over the Internet deserve the highest level of Constitutional protection; and

**WHEREAS**, The Court's most fundamental holding is that communications on the Internet deserve the same level of Constitutional protection as books, magazines, newspapers, and speakers on a street corner soapbox. The Court found that the Internet "constitutes a vast platform from which to address and hear from a world-wide audience of millions of readers, viewers, researchers, and buyers," and that "any person with a phone line can become a town crier with a voice that resonates farther than it could from any soapbox"; and

**WHEREAS**, For libraries, the most critical holding of the Supreme Court is that libraries that make content available on the Internet can continue to do so with the same Constitutional protections that apply to the books on libraries' shelves; and

**WHEREAS**, The Court's conclusion that "the vast democratic fora of the Internet" merit full constitutional protection will also serve to protect libraries that provide their patrons with access to the Internet; and

**WHEREAS**, The Court recognized the importance of enabling individuals to receive speech from the entire world and to speak to the entire world. Libraries provide those opportunities to many who would not otherwise have them; and

**WHEREAS**, The Supreme Court's decision will protect that access; and

**WHEREAS**, The use in libraries of software filters which block Constitutionally protected speech is inconsistent with the United States Constitution and federal law and may lead to legal exposure for the library and its governing authorities; now, therefore, be it

**RESOLVED**, That the American Library Association affirms that the use of filtering software by libraries to block access to constitutionally protected speech violates the *Library Bill of Rights*.

**Adopted by the ALA Council, July 2 1997,**

<<http://www.ala.org/Template.cfm?Section=ifresolutions&Template=/ContentManagement/ContentDisplay.cfm&ContentID=13076>> (September 1, 2005).

## **PRIVACY**

### **AN INTERPRETATION OF THE *LIBRARY BILL OF RIGHTS***

#### **Introduction**

Privacy is essential to the exercise of free speech, free thought, and free association. The courts have established a First Amendment right to receive information in a publicly funded library.<sup>1</sup> Further, the courts have upheld the right to privacy based on the Bill of Rights of the U.S. Constitution.<sup>2</sup> Many states provide guarantees of privacy in their constitutions and statute law.<sup>3</sup> Numerous decisions in case law have defined and extended rights to privacy.<sup>4</sup>

In a library (physical or virtual), the right to privacy is the right to open inquiry without having the subject of one's interest examined or scrutinized by others. Confidentiality exists when a library is in possession of personally identifiable information about users and keeps that information private on their behalf.<sup>5</sup>

Protecting user privacy and confidentiality has long been an integral part of the mission of libraries. The ALA has affirmed a right to privacy since 1939.<sup>6</sup> Existing ALA policies affirm that confidentiality is crucial to freedom of inquiry.<sup>7</sup> Rights to privacy and confidentiality also are implicit in the *Library Bill of Rights*'<sup>8</sup> guarantee of free access to library resources for all users.

### **Rights of Library Users**

The *Library Bill of Rights* affirms the ethical imperative to provide unrestricted access to information and to guard against impediments to open inquiry. Article IV states:

“Libraries should cooperate with all persons and groups concerned with resisting abridgement of free expression and free access to ideas.” When users recognize or fear that their privacy or confidentiality is compromised, true freedom of inquiry no longer exists.

In all areas of librarianship, best practice leaves the user in control of as many choices as possible. These include decisions about the selection of, access to, and use of information. Lack of privacy and confidentiality has a chilling effect on users' choices.

All users have a right to be free from any unreasonable intrusion into or surveillance of their lawful library use.

Users have the right to be informed what policies and procedures govern the amount and retention of personally identifiable information, why that information is necessary for the library, and what the user can do to maintain his or her privacy. Library users expect and in many places have a legal right to have their information protected and kept private and confidential by anyone with direct or indirect access to that information. In addition,

Article V of the *Library Bill of Rights* states: “A person's right to use a library should not be denied or abridged because of origin, age, background, or views.” This article precludes the use of profiling as a basis for any breach of privacy rights. Users have the right to use a library without any abridgement of privacy that may result from equating the subject of their inquiry with behavior.<sup>9</sup>

### **Responsibilities in Libraries**

The library profession has a long-standing commitment to an ethic of facilitating, not monitoring, access to information. This commitment is implemented locally through development, adoption, and adherence to privacy policies that are consistent with applicable federal, state, and local law. Everyone (paid or unpaid) who provides governance, administration, or service in libraries has a responsibility to maintain an environment respectful and protective of the privacy of all users. Users have the responsibility to respect each others' privacy.

For administrative purposes, librarians may establish appropriate time, place, and manner restrictions on the use of library resources.<sup>10</sup> In keeping with this principle, the collection of personally identifiable information should only be a matter of routine or policy when necessary for the fulfillment of the mission of the library. Regardless of the technology used, everyone who collects or accesses personally identifiable information in any format has a legal and ethical obligation to protect confidentiality.

### **Conclusion**

The American Library Association affirms that rights of privacy are necessary for intellectual freedom and are fundamental to the ethics and practice of librarianship.

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<sup>1</sup> Court opinions establishing a right to receive information in a public library include *Board of Education v. Pico*, 457 U.S. 853 (1982); *Kreimer v. Bureau Of Police For The Town Of Morristown*, 958 F.2d 1242 (3d Cir. 1992); and *Reno v. American Civil Liberties Union*, 117 S.Ct. 2329, 138 L.Ed.2d 874 (1997).

<sup>2</sup> See in particular the Fourth Amendment's guarantee of "[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures," the Fifth Amendment's guarantee against self-incrimination, and the Ninth Amendment's guarantee that "[t]he enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people." This right is explicit in Article Twelve of the Universal Declaration of Human Rights: "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks." See: <http://www.un.org/Overview/rights.html>. This right has further been explicitly codified as Article Seventeen of the "International Covenant on Civil and Political Rights," a legally binding international human rights agreement ratified by the United States on June 8, 1992. See: [http://www.unhchr.ch/html/menu3/b/a\\_ccpr.htm](http://www.unhchr.ch/html/menu3/b/a_ccpr.htm).

<sup>3</sup> Ten state constitutions guarantee a right of privacy or bar unreasonable intrusions into citizens' privacy. Forty-eight states protect the confidentiality of library users' records by law, and the attorneys general in the remaining two states have issued opinions recognizing the privacy of users' library records. See: <http://www.ala.org/alaorg/oif/stateprivacylaws.html>.

<sup>4</sup> Cases recognizing a right to privacy include: *NAACP v. Alabama*, 357 U.S. 449 (1958); *Griswold v. Connecticut*, 381 U.S. 479 (1965); *Katz v. United States*, 389 U.S. 347 (1967); and *Stanley v. Georgia*, 394 U.S. 557 (1969). Congress recognized the right to privacy in the *Privacy Act of 1974 and Amendments* (5 USC Sec. 552a), which addresses the potential for government's violation of privacy through its collection of personal information. The Privacy Act's "Congressional Findings and Statement of Purpose" state in part: "the right to privacy is a personal and fundamental right protected by the Constitution of the United States." See: [http://caselaw.lp.findlaw.com/scripts/ts\\_search.pl?title=5&sec=552a](http://caselaw.lp.findlaw.com/scripts/ts_search.pl?title=5&sec=552a).

<sup>5</sup> The phrase "Personally identifiable information" was established in ALA policy in 1991. See: *Policy Concerning Confidentiality of Personally Identifiable Information about Library Users* ([http://www.ala.org/alaorg/oif/pol\\_user.html](http://www.ala.org/alaorg/oif/pol_user.html)). Personally identifiable information can include many types of library records, for instance: information that the library requires an individual to provide in order to be eligible to use library services or borrow materials, information that identifies an individual as having requested or obtained specific materials or materials on a particular subject, and information that is provided by an individual to assist a library staff member to answer a specific question or provide information on a particular subject. Personally identifiable information does not include information that does not identify any individual and that is retained only for the purpose of studying or evaluating the use of a library and its materials and services. Personally identifiable information does include any data that can link choices of taste, interest, or research with a specific individual.

<sup>6</sup> Article Eleven of the *Code of Ethics for Librarians* (1939) asserted that "It is the librarian's obligation to treat as confidential any private information obtained through contact with library patrons." See: <http://www.ala.org/alaorg/oif/1939code.html>. Article Three of the current *Code* (1995) states: "We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired, or transmitted." See: <http://www.ala.org/alaorg/oif/ethics.html>.

<sup>7</sup> See these ALA Policies: *Access for Children and Young People to Videotapes and Other Nonprint Formats* ([http://www.ala.org/alaorg/oif/acc\\_chil.html](http://www.ala.org/alaorg/oif/acc_chil.html)); *Free Access to Libraries for Minors* ([http://www.ala.org/alaorg/oif/free\\_min.html](http://www.ala.org/alaorg/oif/free_min.html)); *Freedom to Read* (<http://www.ala.org/alaorg/oif/freeread.html>); *Libraries: An American Value* ([http://www.ala.org/alaorg/oif/lib\\_val.html](http://www.ala.org/alaorg/oif/lib_val.html)); the newly revised *Library Principles for a Networked World* (<http://www.ala.org/oitp/prinintro.html>); *Policy Concerning Confidentiality of Personally Identifiable Information about Library Users* ([http://www.ala.org/alaorg/oif/pol\\_user.html](http://www.ala.org/alaorg/oif/pol_user.html)); *Policy on Confidentiality of Library Records* ([http://www.ala.org/alaorg/oif/pol\\_conf.html](http://www.ala.org/alaorg/oif/pol_conf.html)); *Suggested Procedures for Implementing Policy on the Confidentiality of Library Records* (<http://www.ala.org/alaorg/oif/sugpolcn.html>).

<sup>8</sup> Adopted June 18, 1948; amended February 2, 1961, and January 23, 1980; inclusion of "age" reaffirmed January 23, 1996, by the ALA Council. See: <http://www.ala.org/work/freedom/lbr.html>.

<sup>9</sup> Existing ALA Policy asserts, in part, that: “The government’s interest in library use reflects a dangerous and fallacious equation of what a person reads with what that person believes or how that person is likely to behave. Such a presumption can and does threaten the freedom of access to information.” *Policy Concerning Confidentiality of Personally Identifiable Information about Library Users* ([http://www.ala.org/alaorg/oif/pol\\_user.html](http://www.ala.org/alaorg/oif/pol_user.html))

<sup>10</sup> See: *Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities* ([http://www.ala.org/alaorg/oif/pol\\_reg.html](http://www.ala.org/alaorg/oif/pol_reg.html)).

**Adopted June 19, 2002, by the ALA Council,**

<<http://www.ala.org/ala/oif/statementspols/statementsif/interpretations/privacy.htm>[org/oif/filt\\_res.html](http://www.ala.org/ala/oif/filt_res.html)> (September 1, 2005).

## **BANNED BOOKS WEEK**

Banned Books Week (BBW) celebrates the freedom to choose or the freedom to express one’s opinion even if that opinion might be considered unorthodox or unpopular. The celebration also stresses the importance of ensuring the availability of those unorthodox or unpopular viewpoints to all who wish to read them. The celebration is cosponsored by ALA and a number of other professional associations. The week is called “Banned Books Week” instead of “Challenged Books Week,” in spite of the fact that the majority of the books featured during the week are not banned, but “merely” challenged primarily because a challenge *is* an attempt to ban or restrict materials, based upon the objections of a person or group. A successful challenge would result in materials being banned or restricted.

Although they were the targets of attempted bannings, most of the books featured during BBW were not banned, thanks to the efforts of librarians to maintain them in their collections.

To assist in planning the week long celebration, each year a BBW kit is developed. This kit includes three posters, 100 bookmarks, a button and a *Resource Guide*, which contains suggested activities and ideas for a celebration. The *Resource Guide* contains an excellent annotated list of challenged or banned books and landmark court cases which dealt with censorship issues.

For more information on the annual celebration of Banned Books Week contact the American Library Association/Office for Intellectual Freedom at 1-800-545-2433, ext. 4220, or [oif@ala.org](mailto:oif@ala.org).

Adapted from the ALA Banned Books Week Notice for 2005, <<http://www.ala.org/ala/oif/bannedbook-week/bannedbooksweek.htm>> (September 30, 2005).

## **ASSOCIATION OF COLLEGE AND RESEARCH LIBRARIES, INTELLECTUAL FREEDOM PRINCIPLES FOR ACADEMIC LIBRARIES: AN INTERPRETATION OF THE LIBRARY BILL OF RIGHTS**

A strong intellectual freedom perspective is critical to the development of academic library collections and services that dispassionately meet the education and research needs of a college or university community. The purpose of this statement is to provide an interpretation of general intellectual freedom principles in an academic library setting and, in the process, raise consciousness of the intellectual freedom context within which academic librarians work. These principles should be reflected in all relevant library policy documents.

1. The general principles set forth in the Library Bill of Rights form an indispensable framework for building collections, services, and policies that serve the entire academic community.



2. The privacy of library users is and must be inviolable. Policies should be in place that maintain confidentiality of library borrowing records and of other information relating to personal use of library information and services.
3. The development of library collections in support of an institution's instruction and research programs should transcend the personal values of the selector. In the interests of research and learning, it is essential that collections contain materials representing a variety of perspectives on subjects that may be considered controversial.
4. Preservation and replacement efforts should ensure that balance in library materials is maintained and that controversial materials are not removed from the collections through theft, loss, mutilation, or normal wear and tear. There should be alertness to efforts by special interest groups to bias a collection through systematic theft or mutilation.
5. Licensing agreements should be consistent with the Library Bill of Rights, and should maximize access.
6. Open and unfiltered access to the Internet should be conveniently available to the academic community in a college or university library. Content filtering devices and content-based restrictions are a contradiction of the academic library mission to further research and learning through exposure to the broadest possible range of ideas and information. Such restrictions are a fundamental violation of intellectual freedom in academic libraries.
7. Freedom of information and of creative expression should be reflected in library exhibits and in all relevant library policy documents.  
Library meeting rooms, research carrels, exhibit spaces, and other facilities should be available to the academic community regardless of research being pursued or subject being discussed. Any restrictions made necessary because of limited availability of space should be based on need, as reflected in library policy, rather than on content of research or discussion.
8. Whenever possible, library services should be available without charge in order to encourage inquiry. Where charges are necessary, a free or low-cost alternative (e.g., downloading to disc rather than printing) should be available when possible.
9. A service philosophy should be promoted that affords equal access to information for all in the academic community with no discrimination on the basis of race, values, gender, sexual orientation, cultural or ethnic background, physical or learning disability, economic status, religious beliefs, or views.
10. A procedure ensuring due process should be in place to deal with requests by those within and outside the academic community for removal or addition of library resources, exhibits, or services.
11. It is recommended that this statement of principle be endorsed by appropriate institutional governing bodies, including the faculty senate or similar instrument of faculty governance.

Adopted by ACRL Intellectual Freedom Committee: June 28, 1999. Approved by ACRL Board of Directors: June 29, 1999. Adopted by ALA Council July 12, 2000,  
< <http://www.ala.org/ala/acrl/acrlpubs/whitepapers/intellectual.htm> > (September 1, 2005).

## **AMERICAN LIBRARY ASSOCIATION AWARDS RELATED TO INTELLECTUAL FREEDOM**

### **Eli M. Oboler Memorial Award**

The Eli M. Oboler Memorial Award, which consists of \$500 and a certificate, is presented for the best published work in the area of intellectual freedom.

The award was named for the extensively published Idaho University librarian known as a "champion of intellectual freedom who demanded the dismantling of all barriers to freedom of expression."

Works to be considered for the award may be single articles (including review pieces), a series of thematically connected articles, books, or manuals published on the local, state or national level in English or English translation.

Criteria for the award include: focus on one or more issues, events, questions or controversies in the area of intellectual freedom; demonstrable relevance to the concerns and needs of members of the library community; and, for the 2000 award year, publication in 1998 or 1999, with allowance made for books published in December 1999.

The Eli M. Oboler Memorial Award is sponsored by the Intellectual Freedom Round Table (IFRT) of the American Library Association (ALA). The deadline for the biennial award is December 1 of odd-numbered years (e.g., the deadline for the 2000 award will be December 1, 1999).

Full criteria and nomination forms are available from the Office for Intellectual Freedom, American Library Association, 50 E. Huron St., Chicago, IL 60611.

Nominations and supporting evidence should be sent to IFRT Staff Liaison, ALA, 50 E. Huron St., Chicago, IL 60611. Telephone: 312-280-4225 or 800-545-2433, ext. 4225. Fax: 312-280-4227.

### **John Phillip Immroth Memorial Award**

The John Phillip Immroth Memorial Award honors intellectual freedom fighters in and outside the library profession who have demonstrated remarkable personal courage in resisting censorship. The award consists of \$500 and a citation. Individuals, a group of individuals or an organization are eligible for the award.

The John Phillip Immroth Memorial Award is sponsored by the Intellectual Freedom Round Table (IFRT) of the American Library Association (ALA). The deadline for nominations is December 1 of each year.

Nominations and supporting evidence should be sent to IFRT Staff Liaison, ALA, 50 E. Huron St., Chicago, IL 60611. Telephone: 312-280-4225 or 800-545-2433, ext. 4225. Fax: 312-280-4227.

**The SIRS State and Regional Intellectual Freedom Achievement Award** is given to the most innovative and effective intellectual freedom project covering a state or region. Programs may be one-time, one-year or ongoing/multi-year efforts. The award consists of a citation and \$1,000 donated by Social Issues Resources Series (SIRS).

Examples might include a statewide public relations initiative to promote awareness of intellectual freedom, programmatic assistance to meet a broad-based censorship challenge, coalition building or education outreach efforts, or effective reorganization or management of an intellectual freedom committee.

State libraries or library associations, educational media associations or programs, legal defense funds, intellectual freedom committees or coalitions and related parties are eligible for nomination by themselves or others.

The SIRS State and Regional Intellectual Freedom Achievement Award is sponsored by the Intellectual Freedom Round Table (IFRT) of the American Library Association (ALA) and the Social Issues Resources Series (SIRS). The deadline for nominations is December 1 of each year.

Nominations and supporting evidence should be sent to IFRT Staff Liaison, ALA, 50 E. Huron St., Chicago, IL 60611. Telephone: 312-280-4225 or 800-545-2433, ext. 4225. Fax: 312-280-4227.

Source:

<http://www.ala.org/ala/oif/oifprograms/ifawards/intellectual.htm> (October 1, 2005).

**AMERICAN ASSOCIATION OF LAW LIBRARIES  
AALL GOVERNMENT RELATIONS POLICY**

**V. Intellectual Freedom**

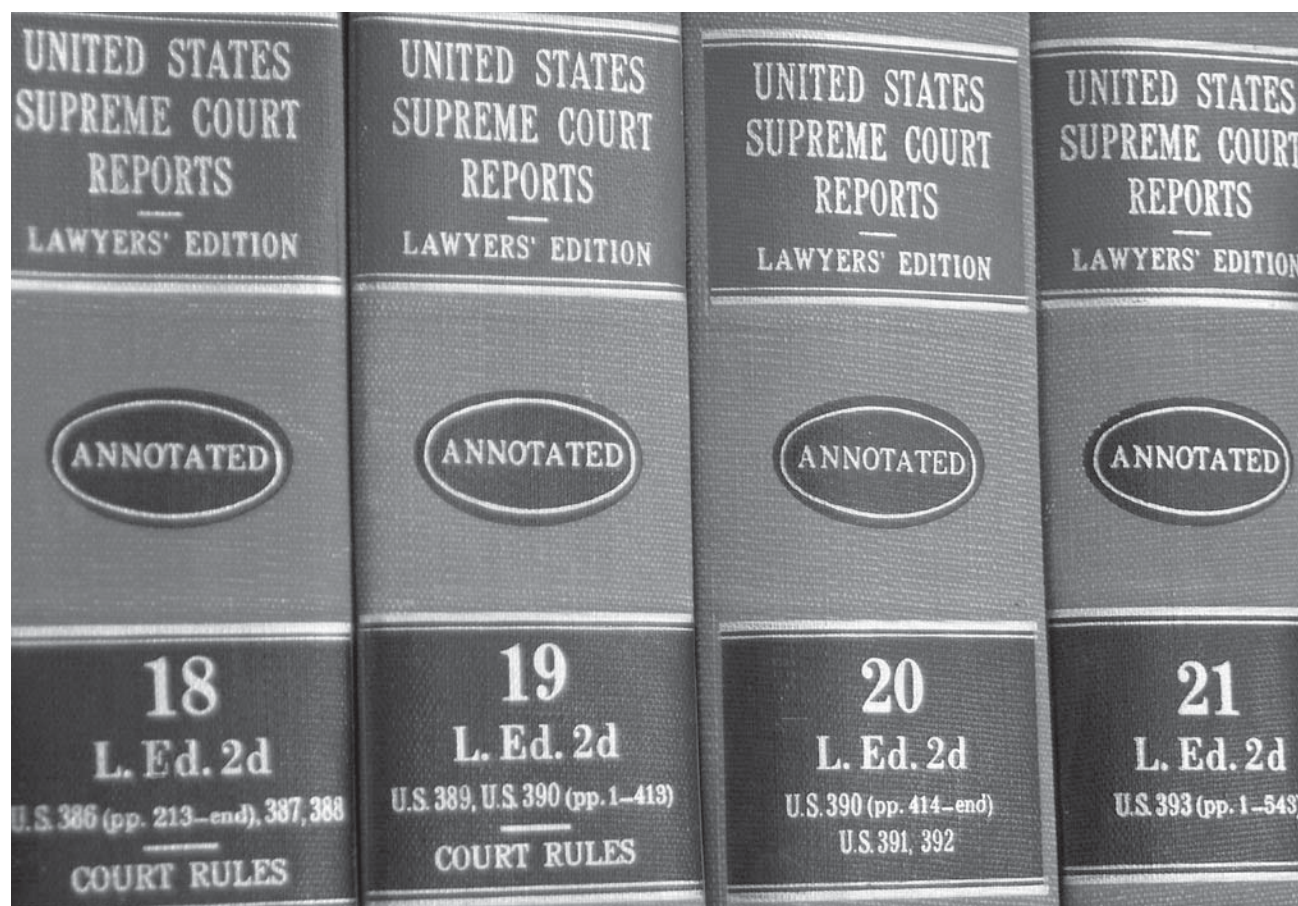
AALL endorses the Library Bill of Rights (current version available on the American Library Association web site at <http://www.ala.org/alaorg/oif/librarybillofrights.pdf>) and supports the right of libraries to disseminate materials on all subjects. The Association vigorously opposes censorship. Similarly, AALL supports nondiscriminatory access to information for all library users.

**VI. Management of Information**

**A. Privacy**

The protection of personal privacy is a core value of our society. AALL supports a comprehensive national and state framework for privacy protection to safeguard the rights of all Americans. Public access to government information must be tempered by privacy rights concerning personal information held in private sector databases and government files, including the confidentiality of library circulation records. Strong federal and state privacy laws are needed to insulate sensitive personal information from a world of interconnected databases.

Revised March 2001



## RELEVANT DOCUMENTS OF THE LOUISIANA LIBRARY ASSOCIATION

### **Intellectual Freedom Committee**

#### **Description and Charge**

Standing committee of the Association. Consisting of eight members, one from each section of the association and one member-at-large, the committee is appointed by the President with the approval of the Executive Board for overlapping two year terms.

The committee's charge is as follows:

1. To defend the right and responsibility of the publicly supported library to preserve the freedom to read, as stated in the "Library Bill of Rights" adopted by the American Library Association.
2. To promote the endorsement of the "Library Bill of Rights" by the governing bodies of the publicly supported libraries of the state, emphasizing that libraries advocate a morally responsible freedom, not a license to undermine democracy.
3. To encourage libraries to emphasize the value of intellectual freedom in their library programs by preparing exhibits, booklists, etc.
4. To keep the membership of the association informed on the subject by
  - a. Making suggestions for programs on the subject at the annual conference
  - b. Reporting to the membership articles on the subject and infringement of intellectual freedom by an individual or group.
5. To use every opportunity to work with teachers, authors, publishers and others interested in preserving free thought and expression in America.
6. To be well informed as to what to do in the event a library or librarian is attacked, so as to be in a position to advise.
7. To encourage librarians to report infringements on intellectual freedom.
8. To make recommendations to the Executive board through the President for such action by the association as is considered advisable in the light of reported infringements or reported attempts at infringement.

#### **The Alex Allain Intellectual Freedom Award**

The Alex Allain Intellectual Freedom Award (co-sponsored by the Louisiana Library Association and Social Issues Resources Series, Inc.) recognizes the contributions of an individual or a group actively promoting intellectual freedom in Louisiana. It is awarded annually, when merited. The deadline for submission of nominations is November 15 of the year prior to the presentation year. The award consists of a \$500 award to the recipient, a \$500 award for materials to the library of the recipient's choice, and expenses to the conference for the award recipient.

The successful nominee will be the person or group who/which is actively promoting intellectual freedom in Louisiana. Only activities within the past five years are eligible for consideration. Nominations for the award may be made by anyone in Louisiana, including an individual who wants to nominate herself or himself.

The nominees will be judged on the role they have played in actively promoting intellectual freedom in their sphere of influence and beyond; the degree to which they exemplify the spirit of intellectual freedom, and the impact which their efforts to promote intellectual freedom have made.

The Library Bill of Rights (American Library Association) and the AECT Intellectual freedom Statement will be considered very carefully as criteria for evaluation.

Examples of evidence which may be used:

1. Written and approved policies and procedures relating to intellectual freedom, if the nominee is employed in an educational institution.
2. A description of programming activities and other methods of encouraging intellectual freedom on a continuing basis within the environment or in the locale where the nominee lives
3. Documented reports of the role which the nominee has played in promoting intellectual freedom, i.e., newspaper clippings, letters, publicity materials.
4. Any other relevant information which further elucidates the nominee's role in the promotion of intellectual freedom.
5. One or more letters of recommendation from persons knowledgeable of the nominee's contributions to intellectual freedom.

### **Previous Award winners**

- 1991, Alex P. Allain, Trustee, St. Mary Parish Library system
- 1994, Dr. Patsy Perritt, School of Library and Information Science, LSU
- 1996, Jeri Ferrara, School Librarian
- 1997, Deloris Wilson, School Librarian
- 1999, Barbara Forrest, Southeastern Louisiana University
- 2001, Charlene Cain, Paul M. Hebert Law Center, LSU
- 2002, Joe Cook, Executive Director, Louisiana Chapter, American Civil Liberties Union
- 2003, Holly Priestly, Young Adult Librarian, Ouachita Parish Public Library



## INTELLECTUAL FREEDOM ISSUES IN PUBLIC LIBRARIES

by Dr. Margaret Wilhite

*“Any society that would give up a little liberty to gain a little security will deserve neither and lose both.”*

-- Benjamin Franklin (1706-1790)

### THE BALANCING ACT

Knowledge, information, ideas, opinions -- danger lurks in each of them, and yet, these are the very bases of public library service. Bringing people together with the information they need and want when they need it and when they want it, depends on the complementary constitutional rights of freedom of access to ideas and the right to privacy. Academic, school, corporate, and special libraries each serve special clientele who have specialized needs. Public libraries, by contrast, must serve the competing interests and belief systems of the entire community. At the same time, public libraries must win voter approval for the taxes that allow them to operate. This can be a delicate balancing act, one now made more difficult by new laws that expand government surveillance and restrict access to information.

### ACCESS TO INFORMATION

Intellectual freedom cannot exist without access to information. The First Amendment guarantees individuals the right to hold and express any ideas, but this right is meaningless if others do not have the right to hear, read, or view those ideas. Libraries serve the needs of individuals to have access to ideas by providing access to various media of expression. Each medium presents its own unique challenges to access.

#### The Internet

Foremost among issues of intellectual freedom facing public libraries today is the question of Internet access. Most libraries recognize the importance of providing Internet access to their patrons, but the details of how to provide it can be problematic.

In many libraries, requiring express parental consent for Internet access is considered insurance that parents can control the information their children can access. In other libraries, children are allowed free-ranging Internet access unless their parents explicitly request that it be denied. Librarians see these methods as less intrusive ways of helping maintain parental control. Still other librarians place no restriction on children's Internet access, arguing that the only way for parents to maintain control is by accompanying and monitoring their children in the library.

NCIPA (Neighborhood Children's Internet Protection Act) requires libraries receiving E-rate discounts to adopt and implement an Internet safety policy for minors that addresses their access to inappropriate material; their safety and security when using forms of direct electronic communication such as email; unauthorized activities by minors, including "hacking,"; and the disclosure, use, and dissemination of personally identifiable information.<sup>a</sup>

The Children's Internet Protection Act (CIPA) requires the use of filter software in libraries that receive E-rate discounts<sup>b</sup> and/or Library Services and Technology Act (LSTA) grant funds.<sup>c</sup> The filtering software must be operational at all times on all library computers, including those used by adult patrons and library staff. Filters on public use computers may be disabled upon request "for bona fide research or other legal purpose."<sup>d</sup> In ruling on the constitutionality of CIPA the Supreme Court added an additional layer of uncertainty for librarians when it declared that requiring filters does not impinge on constitutionally-protected freedoms since any librarian can turn off any filter for any adult.<sup>e</sup>

Very few public libraries today have a choice about filtering since few have the luxury of doing without E-rate discounts. The issue facing public libraries now is how to filter without abridging intellectual freedom. If filtering is overbroad, adults and older children may have difficulty retrieving the information they need; if it is too narrow, parents may feel that their children are not adequately protected. In legal terms, CIPA standards vary for adults and children. Adult access to visual depictions judged obscene under the federal obscenity statute<sup>f</sup> and to child pornography as defined by 18 U.S.C. §2256 must be filtered, whereas

children's access must be filtered of visual depictions "harmful to minors."<sup>g</sup> Any other filtering exceeds the requirements of CIPA.

Librarians have long held that the individual taste of patrons alone should dictate access to library materials; parents or guardians may circumscribe access when the individual is a minor over whom they have authority. Internet filters take choice away from library users and allow software designers and third party vendors to judge what is best for our patrons to see. Neither librarians nor their patrons can find out how or why information is being filtered because under many licensing agreements the methodology of filtering and the sites that are filtered remain the property of the vendor.

No filtering software is perfect. Sites may be blocked without clear reason, while others that violate CIPA standards get through. The Web is too vast and dynamic for any individual or organization to monitor it completely. Indeed, filtering can have the unexpected side effect of undermining parental control because parents assume that all harmful materials are being blocked and personal checking is unneeded.

In ruling on the constitutionality of CIPA, the Supreme Court noted that filters can be turned off for adult patrons, but the Court did not take into account that children who are nearby may, intentionally or unintentionally, end up viewing unfiltered material. Thus, CIPA's intention to protect children may be undermined, and librarians will have to balance right of access for adult patrons against the possibility that a child may be unexpectedly harmed.

Moreover, adult patrons may not realize that they can ask to have filters turned off. Others may know but be too embarrassed to ask. To alleviate this situation, libraries must make a clear statement regarding adult access to unfiltered materials and post a notice as necessary.

### **Other Matters of Concern**

Although the Internet currently generates the most interest and outrage in debates over censorship, other library materials are being challenged continuously. Lest we forget, books are still being challenged. Carefully crafted selection policies, when implemented consistently, can ensure that choices will be made for content quality and a balanced collection.

Video access for minors can sometimes be a thorny issue for public libraries. If libraries restrict access to videos, librarians will be expected to act *in loco parentis*. If access is unrestricted, children may see movies that they would not be allowed to view in theaters. Librarians must resist the temptation to place labeling additional to the Motion Picture Association of America parental guidance ratings.

What about exhibits, meeting rooms, and bulletin boards? Libraries cannot discriminate between groups wishing to use meeting space routinely available for public use, nor can they restrict usage based on the proposed content of meetings.<sup>h</sup> Experience shows that libraries would do well to establish similar guidelines for access to exhibit space and bulletin boards.

Libraries employ security guards to protect patrons, but patrons may be intimidated by the guards' presence. Security guards must not monitor what patrons view or attempt to impose their own standards on patrons.

Access to information does not provide full intellectual freedom without the corresponding right to privacy guaranteed by the Fourth Amendment. If an individual's reading, listening, and viewing habits are monitored by law enforcement or others, intimidation may limit access.

The greatest challenge to patron privacy currently faced by libraries is §215 of the U.S.A. P.A.T.R.I.O.T. Act, under which library records are viewed as "business records," and are thus subject to search by federal authorities conducting foreign intelligence or international terrorism investigations.<sup>i</sup> Librarians must understand that only FBI agents, not local law enforcement officers, can demand to see library records, and they must have a warrant issued by a special court acting under the auspices of the Foreign Intelligence Surveillance Act (FISA).

Librarians are expressly forbidden to inform patrons that their records have been seized under FISA Court order. Notices regarding the vulnerability of library records to seizure under the PATRIOT Act may make some patrons uneasy, but the lack of such notices will give patrons a false sense of security.

### **Louisiana Laws on Patron Confidentiality**

Despite a recent weakening of Louisiana laws protecting patron privacy, patron records are still protected. Louisiana Revised Statutes, Title 44, Chapter 1, Section 13 prohibits publicly funded libraries from disclosing patron records, with five exceptions: (1) The parent or guardian of a minor child may examine that child's records; (2) "Persons acting within the scope of their duties in the administration of the library" may have access; (3) Anyone given written authority by a patron may see that patron's records; (4) Anyone granted authority by a court order may see the records covered by the order; and (5) "law enforcement officers investigating criminal activity in the library witnessed by an employee or patron of the library and reported by the administrative librarian" may view the records.

### **Records retention**

Because of the greater access that law enforcement officials now have to library records, it is important for libraries to have written policies regarding the retention of the records. Records retention policies should cover circulation records, patron registration records, computer use logs, backup tapes, and any other records containing personally identifiable information. These policies should detail how long and under what circumstances records are retained. As an added precaution, the library should completely erase or remove the hard drives on computer equipment that is being discarded.

### **Awareness and Training**

The library staff is the front line in creating an atmosphere of intellectual freedom and responding to any challenges to that freedom. Since some public library staff members may not have professional training regarding intellectual freedom issues, it is important to teach them not to impose their own ideas and preferences on patrons or material selection. It is equally important that they know how to respond to intellectual freedom challenges and requests for confidential information.

Trustees function in the public arena also, and so must be educated that they cannot impose their personal beliefs and preferences on the library. They must be prepared to support the efforts of librarians in protecting the patron privacy and resisting censorship.

The public must be educated that library users have the right to access materials others may personally find objectionable. Librarians must help parents to understand that they cannot impose the standards they set for their own children on other people's children.

Intellectual freedom events such as Banned Books Week can play an important role in raising awareness of these issues. Clearly posted privacy and filtering notices can also help to educate staff, trustees and the public. In the ongoing effort to provide people with the information they need when they need it, intellectual freedom must be the guiding principle in an ongoing dialogue between library administrators, trustees, staff, and library clientele.

- a Children's Internet Protection Act (CIPA), Title XVII, §1732.
- b Ibid., §1721.
- c Ibid., §1712.
- d Ibid., §1721.
- e United States, et al. v. American Library Association, Inc. et al., 539 U.S. 194, 123 S.Ct. 2297, 156 L.Ed.2d 221 (2003).
- f 18 USC §1460.
- g CIPA, §1703.
- h US District Court for the Northern District of Mississippi, WD, No. WC88-98-NB-D, Sept. 16, 1988.
- i Don Essex, "Opposing the USA PATRIOT Act: The Best Alternative for American Librarians," *Public Libraries* 43, no. 6 (November/December 2004): 331-340.



## ETHICS STATEMENT FOR PUBLIC LIBRARY TRUSTEES

Trustees in the capacity of trust upon them, shall observe ethical standards with absolute truth, integrity and honor.

Trustees must avoid situations in which personal interests might be served or financial benefits gained at the expense of library users, colleagues, or the situation.

It is incumbent upon any trustee to disqualify himself/herself immediately whenever the appearance or a conflict of interest exists.

**Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the institution, acknowledging the formal position of the board even if they personally disagree.**

A trustee must respect the confidential nature of library business while being aware of and in compliance with applicable laws governing freedom of information.

**Trustees must be prepared to support to the fullest the efforts of librarians in resisting censorship of library materials by groups or individuals.**

Trustees who accept library board responsibilities are expected to perform all of the functions of library trustees.

Adopted by the Board of Directors of the American Library Trustee Association, July, 1985.

Adopted by the Board of Directors of the Public Library Association, July, 1985.

Amended by the Board of Directors of the American Library Trustee Association, July, 1988.

Approval of the amendment by the Board of Directors of the Public Library Association, January, 1989.

American Library Trustee Association (ALTA), a division of the American Library Association, <<http://www.ala.org/ala/alta/altapubs/PDFaltaethicsstatement.pdf>> (October 5, 2005).



# INTELLECTUAL FREEDOM ISSUES IN SCHOOL LIBRARIES AND MEDIA CENTERS

By Ladonna Guillot

Today more than ever intellectual freedom is essential to the operation and maintenance of a democratic society. Nowhere is it more important to foster this democratic ideal than in school libraries and media centers. Here young people acquire the critical thinking skills necessary to function in an increasingly pluralistic American society and complex global environment. Intellectual freedom promotes the atmosphere of free inquiry, free speech, and free access essential to the development of a discerning and informed citizenry.

The objectives of this essay are threefold: to provide a brief overview of the intellectual freedom implications of the role of the school librarian, to highlight recent Internet legislation impacting intellectual freedom in school media centers, and to list a few key Web sites that maintain current and comprehensive information on the topic.

## **Intellectual Freedom Implications for the School Librarian**

While school librarians may find it challenging to stay abreast of current intellectual freedom issues affecting schools, four considerations remain constant. School media center personnel should contemplate: how they provide intellectual and physical access to resources including the Internet, a written collection development policy, procedures for handling challenges, and how intellectual freedom is promoted as a democratic ideal.<sup>1</sup>

Access means the unimpeded availability of a wide variety of resources in various formats commensurate with the mission and instructional objectives of the school and local community. Librarians promote the use of internal resources as well as access to the Internet, networks, and public libraries. The media center manager works closely with faculty and administrators to make the library an integral part of instruction. Barriers to access may include age and grade level restrictions, fees, requiring permission from parents or teachers, and the establishment of restricted shelves or closed collections.

A current collection development policy is essential. It defines the library's mission in line with the broader objectives of the school and district. Library acquisitions and access policies directly reflect the goals and objectives outlined in the document. The policy acknowledges cultural diversity and the pluralistic nature of modern society as well as characteristics unique to the school or local culture. Appropriate intellectual freedom statements such as the American Library Association's Library Bill of Rights<sup>2</sup> offer credulous support and may be significant in the retention of challenged materials. Other collection development policy topics relevant to intellectual freedom include Internet and database use policy as well as confidentiality of patron records.

Every collection development policy must have a clearly articulated section that outlines procedures for the reconsideration of materials. The guidelines should be systematically applicable to each challenge and allow for parents and others to respectfully submit complaints with the assurance their concerns will be addressed in a fair and timely manner. Public school parents have the right to question materials made available to their students and most frequently express concerns about sexually explicit materials, profanity, morality and obscenity.<sup>3</sup> Often queries do not turn into challenges once parents understand the media center selection process.

In addition to creating a venue for the redress of grievances, a well-written collection development policy becomes the basis for selecting and deselecting library materials and allows for ongoing evaluation of the library's collection. Selection of school media center resources ideally involves input from students, teachers, parents, school administrators, and district personnel. Resources selected are appropriate to the developmental and age level of students, support the curriculum and the school mission, and present diverse view-

points in current and historical issues. Sound educational criteria are applied in the selection process including the use of professional selection resources. The personal, political, social, or religious views of those procuring library materials do not enter into the decision making process. The policy should be reviewed every three years to reflect changes in the school environment and innovations in information access.

Finally, school librarians are charged with promoting intellectual freedom as an educational and democratic ideal essential to an enlightened citizenry. Increasingly, this means advocating for funding, personnel, legislation, and recognition of the role the school media center plays in educational achievement. School library advocates seek to influence public policy and increase stakeholders' knowledge so that informed citizens become proactive in the support of both libraries and intellectual freedom.

### **Intellectual Freedom Implications of Recent Legislation**

Internet use by children, both at home and at school, has grown considerably over the past several years. School librarians struggle with Internet use policies that strike a balance between safe and unfettered access for students. Librarians are charged with providing students the fullest possible access to constitutionally protected materials and modes of expression.

The Children's Online Privacy Protection Act of 1998 (COPPA) and the Children's Internet Protection Act of 2000 (CIPA) raise issues related to intellectual freedom in schools, some of which are clearly unresolved. While the implications of these laws are briefly summarized below, school librarians are advised to consult their local school district's policy regarding COPPA and CIPA.

COPPA seeks to protect the personally identifiable information and online privacy of children under the age of thirteen. Commercial Web sites must obtain parental permission to collect or disclose information from underage children. They must also post privacy policies and demonstrate how collected information is used. Monitoring and enforcing of COPPA is under the jurisdiction the Federal Trade Commission.<sup>4</sup>

Schools continue to debate how the protective provisions of COPPA should be implemented. Unlike public libraries, schools do assume some in loco parentis or "in the place of a parent" duties to act on behalf of children.<sup>5</sup> While some schools may authorize teachers and librarians to act on the behalf of parents, most seek consent by having parents and students sign an Internet acceptable use policy at the beginning of each school year. Decisions regarding Internet use are frequently made at the school board level for the entire district.

CIPA requires school and public libraries that receive federal E-rate or Library Services and Technology Act (LSTA) funding for Internet connectivity to filter computers with online access. Minors are to be protected from pictorial depictions of obscene and pornographic materials. Other provisions mandate that schools adopt a policy to monitor the online activity of minors and address unauthorized use or "hacking" by minors. For the 2001-2002 school year and thereafter, schools were required to certify that their safety policies and technology were in place or that necessary steps were being taking before receiving federal E-rate funding for the next year.<sup>6</sup>

After a lower court ruled CIPA a first amendment infringement and inapplicable to libraries, the United States Supreme Court upheld its constitutionality in *U.S. v. American Library Association* in June 2003.<sup>7</sup> Controversy continues to surround the law, particularly as librarians question the effectiveness of Internet filtering.

### **Sources for School Librarians**

Clearly, the issues of intellectual freedom in school media centers and libraries are dynamic, legalistic, and often complicated. For these reasons, the following quick references have been compiled. Not intended to

be comprehensive, these resources provide current and authoritative information that in the very least may serve as a starting point for school librarians.

American Library Association, "CPA, COPA, CIPA: Which One Is Which?," 2004  
<<http://www.ala.org/ala/oif/ifissues/issuesrelatedlinks/cppacopacipa.htm>> (March 11, 2005).

American Library Association, "Civil Liberties, Intellectual Freedom and Privacy," 2004,  
<<http://www.ala.org/ala/washoff/WOissues/civilliberties/civilliberties.htm>> (March 11, 2005).

American Library Association, "Freedom to Read Statement," 2004,  
<<http://www.ala.org/alaorg/oif/freeread.html>> (March 11, 2005).

American Library Association, "Library Bill of Rights," 2004,  
<<http://www.ala.org/work/freedom/lbr.html>> (March 11, 2005).

American Library Association. "Intellectual Freedom," 2004, <<http://www.ala.org/oif>> (March 11, 2005).

National Council of Teachers of English, "The Students' Right to Read," 2005, <<http://www.ncte.org/about/over/positions/level/gen/107616.htm>> (March 11, 2005).

NCTE official guideline that affirms the principle of intellectual freedom in schools.

## Endnotes

<sup>1</sup>American Library Association, Office for Intellectual Freedom. *Intellectual Freedom Manual*. 6<sup>th</sup> ed. Chicago: American Library Association, 2002.

<sup>2</sup>American Library Association. *Library Bill of Rights*, 2004, <<http://www.ala.org/ala/oif/statementspols/statementsif/librarybillrights.htm>> (March 10, 2005).

<sup>3</sup> Dianne McAfee Hopkins, *School Library Media Centers and Intellectual Freedom*. American Library Association, 2004, <<http://www.ala.org/ala/oif/iftoolkits/ifmanual/fifthedition/schoollibrary.htm>> (March 10, 2005).

<sup>4</sup>Federal Trade Commission. *How to Comply With the Children's Online Privacy Protection Rule*. Washington: Federal Trade Commission, 1999,  
<http://www.ftc.gov/bcp/online/pubs/buspubs/coppa.htm>  
<March 10, 2005>.

<sup>5</sup> American Library Association. *Important Policy Notice to Libraries on Children's Online Privacy*, 2004, <<http://www.ala.org/Template.cfm?Section=coppa&Template=/ContentManagement/ContentDisplay.cfm&ContentID=11052>> (March 10, 2005).

<sup>6</sup> Federal Communications Commission, *FCC Consumer Facts: Children's Internet Protection Act*, 2003, <<http://www.fcc.gov/cgb/consumerfacts/cipa.html>> (March 10, 2005).

<sup>7</sup> Michigan.gov, *History, Arts and Library: The Aftermath of the CIPA Ruling September 2002*, <[http://www.michigan.gov/hal/0,1607,7-160-17451\\_18668\\_18689-54424--,00.html](http://www.michigan.gov/hal/0,1607,7-160-17451_18668_18689-54424--,00.html)> (March 10, 2005).

## INTELLECTUAL FREEDOM IN ACADEMIC LIBRARIES

by Charlene C. Cain

The experience of censorship by academic libraries is different from that of public and school libraries, in that academic librarians are protected not only by the intellectual freedom principles of the American Library Association but also by the standards for academic freedom adopted by groups such as the American Association of University Professors.<sup>1</sup> Nevertheless, threats to confidentiality in college libraries have been just as ominous.

A prime example of this history is when the FBI's Library Awareness Program (LAP) tried to enlist librarians to check the library records of people under investigation, claiming that they were not investigating controversial authors, but only the people who wanted to read them.<sup>2</sup> The librarians were also asked to track photocopying and computer database usage.<sup>3</sup> The FBI told the National Commission on Library and Information Science that the Soviets considered librarians to be excellent spy material partially because librarians could deposit disinformation in their libraries.<sup>4</sup>

Although there is no evidence that librarians ever were recruited as spies, the possibility does give us pause. Do our personal political beliefs affect our ability to do our jobs? Do we view library materials through the lenses of feminism, political correctness, or our personal political or religious beliefs? It is our job to facilitate the comparison of ideas by our selection of library materials—but we accomplish that only if the selection is diverse. If a librarian excludes an entire category of books or buys only one viewpoint, then that librarian is guilty of censorship. However, if the librarian makes her best effort to add to the collection the best titles in a category, the process is that of selection.<sup>5</sup> There is a fine line between the two—one that is drawn by the motive and professionalism of the librarian. When the process is truly one of selection rather than censorship, that is when the librarian has raised his work to its highest level. This kind of attention to detail takes time, patience, a far-reaching expertise regarding the publishing industry, and some knowledge of the scholarship in given subject areas. The necessity of a dispassionate approach to selection in academic libraries is confirmed in a statement on intellectual freedom principles espoused by the Association of College and Research Libraries.<sup>6</sup> However, changing economic times has demanded that some faculties participate to a much greater extent in the selection process, and the competitiveness between academic departments for library resources can threaten the time-honored comprehensive approach to decision-making in the selection process.<sup>7</sup>

Our manner of applying intellectual freedom principles affects the everyday way we transact business. It has been said that challenges to intellectual freedom in academic libraries are more likely to be internal than external.<sup>8</sup> A lack of scrupulousness in regard to the confidentiality of interlibrary loan requests, online surveys, and routing slips can result in a loss of privacy for our patrons and therefore violate their intellectual freedom. There is a need for discretion in the notes we write to each other regarding the research needs of our patrons, to say nothing of the inviolability of circulation records.

Do all of our academic libraries incorporate the Library Bill of Rights into their collection maintenance policies and mission statements? Do our computer use policies, and the practices that go with them, square with our ethical imperative to fight censorship? Computer use policies, also known as acceptable use policies, are aimed at making the computer user responsible for the material he or she accesses. These policies are one way for universities to guard against overloading computer networks while still maintaining services related to their educational missions. Academic librarians

are understandably nervous about student use of copyrighted material on their personal websites, as well as the possibility that harassing email can be sent from public access terminals in the library.<sup>9</sup> Such policies are often written not by librarians but by computer center personnel, which means that non-librarians are in control of the selection process for a library resource. These policies are, however, preferable to the use of filtering software, which tends to disallow access to sites that have not been reviewed by the software company. The ACRL policy on intellectual freedom principles for academic libraries includes the firm statement on filtering:

Open and unfiltered access to the Internet should be conveniently available to the academic community in a college or university library. Content filtering devices and content-based restrictions are a contradiction of the academic library mission to further research and learning through exposure to the broadest possible range of ideas and information. Such restrictions are a fundamental violation of intellectual freedom in academic libraries.<sup>0</sup>

Finally, it cannot be stressed enough that academic librarians need to stand with our colleagues from all types of libraries when censorship issues are discussed. Our positions on these issues are far less likely to threaten our jobs than similar stands by public or school librarians, and it is incumbent upon us to be aware of current threats to intellectual freedom in our communities. Academic librarians responsible for library instruction courses can also serve this cause by incorporating an explanation of the Library Bill of Rights into their lectures. This alone can have a long term effect, for what we say to our students—who may well become the public library trustees and school board members of the future—can have an impact on how a legal authority handles censorship cases in the future..

1. Gemma DeVinney, "Academic Librarians and Academic Freedom in the United States," *Libri* 36 (March 1986): 32.
2. Natalie Robins, *Alien Ink: The FBI's War on Freedom of Expression* (New York: William Morrow and Co., Inc.), p. 376.
3. *Ibid.*, 378.
4. *Ibid.*, 393.
5. Lester Asheim, "Not Censorship But Selection," *Wilson Library Bulletin* 28 (September 1953): 66.
6. ACRL Intellectual Freedom Committee, "Intellectual Freedom Principles for Academic Libraries: Third Draft," *C&RL News* 60 (June 1999): 470.
7. Barbara Jones, "Academic Libraries and Intellectual Freedom," <<http://www.ala.org/Template.cfm?Section=fifthediton&Template=/ContentManagement/ContentDisplay.cfm&ContentID=76508>> (October 5, 2005).
8. American Library Association, *Intellectual Freedom Manual*, 5th ed. (Chicago: American Library Association, 1996), p.283.
- i        9. Jones, 80.
- j        10. Association of College and Research Libraries, "Intellectual Freedom Principles for Academic Libraries, an Interpretation of the Library Bill of Rights," 2000, <<http://www.ala.org/ala/acrl/acrlpubs/whitepapers/intellectual.htm>> (September 1, 2005).

## LOUISIANA LEGISLATION AND INTELLECTUAL FREEDOM

Louisiana statutes relevant to intellectual freedom are excerpted below. It should be noted that any state statutes must be in compliance with the United States Constitution and with constitutional rules enunciated by the Supreme Court of the United States, or risk overrule by the Court.

### State Laws Pertaining to Obscenity

While the Congress has legislated from time to time to restrain intellectual freedom, the chief threat to intellectual freedom has more often come from state and local authorities anxious to respond to constituency pressures to “do something” about “those books” or “those movies” or “those displays” which some consider offensive. Louisiana’s laws relative to obscenity and privacy are here reprinted in part from West’s Louisiana Statutes Annotated (West, 2005).

#### La. R.S. 14:106 Obscenity

A. The crime of obscenity is the intentional:

(2)(a) Participation or engagement in, or management, operation, production, presentation, performance, promotion, exhibition, advertisement, sponsorship, electronic communication, or display of, hard core sexual conduct when the trier of fact determines that the average person applying contemporary community standards would find that the conduct, taken as a whole, appeals to the prurient interest; and the hard core sexual conduct, as specifically defined herein, is presented in a patently offensive way; and the conduct taken as a whole lacks serious literary, artistic, political, or scientific value.

(3)(a) Sale, allocation, consignment, distribution, dissemination, advertisement, exhibition, electronic communication, or display of obscene material, or the preparation, manufacture, publication, electronic communication, or printing of obscene material for sale, allocation, consignment, distribution, advertisement, exhibition, electronic communication, or display.

(3)(b) Obscene material is any tangible work or thing which the trier of fact determines that the average person applying contemporary community standards would find, taken as a whole, appeals to the prurient interest, and which depicts or describes in a patently offensive way, hard core sexual conduct specifically defined in Paragraph (2) of this Subsection, and the work or thing taken as a whole lacks serious literary, artistic, political, or scientific value.

D. (1) The provisions of this Section do not apply to recognized and established schools, churches, museums, medical clinics, hospitals, physicians, **public libraries**, governmental agencies, quasi-governmental sponsored organizations and persons acting in their capacity as employees or agents of such organizations, or a person solely employed to operate a movie projector in a duly licensed theatre.

### State Laws pertaining to the right to privacy and particularly to access to circulation records

A second area of intense interest to the information professional is the matter of access to circulation records. Persons obtaining information from a library have a legitimate concern that their use of materials may cause them to be investigated, perhaps lose their jobs, or lead to public embarrassment.

Library patrons and library professionals therefore ought to be solicitous of the right to privacy, especially where it concerns access to library circulation records. The Louisiana statute on the matter is modeled upon a broad interpretation of the Family Education and Privacy Rights Act of 1974 (popularly known as the Buckley Amendment, after its sponsor Senator James Buckley of New York). The ALA Office

for Intellectual Freedom opposes the application of the Buckley Amendment to library records. Under Subsection A of La. R.S. 44:13, parents may be allowed to see the circulation records only of their own children.

**La. R. S. 44:13 Registration records and other records of use maintained by libraries**

A. Notwithstanding any provisions of this Chapter or any other law to the contrary, records of any library which is in whole or in part supported by public funds, including the records of public, academic, school, and special libraries, and the State Library of Louisiana, indicating which of its documents or other materials, regardless of format, have been loaned to or used by an identifiable individual or group of individuals may not be disclosed except to a parent or custodian of a minor child seeking access to that child's records, to persons acting within the scope of their duties in the administration of the library, to persons authorized in writing by the individual or group of individuals to inspect such records, or by order of a court of law.

B. Notwithstanding any provisions of this Chapter or any other law to the contrary, records of any such library which are maintained for purposes of registration or for determining eligibility for the use of library services may not be disclosed except as provided in Subsection A of this Section.

C. No provision of this Section shall be so construed as to prohibit or hinder any library or any business office operating jointly with a library from collecting overdue books, documents, films, or other items and/or materials owned or otherwise belonging to such library, nor shall any provision of this Section be so construed as to prohibit or hinder any such library or business office from collecting fines on such overdue books, documents, films, or other items and/or materials.

D. No provision of this Section shall be so construed as to prohibit or hinder any library or librarian from providing information to appropriate law enforcement officers investigating criminal activity in the library witnessed by an employee or patron of the library and reported by the administrative librarian to the appropriate law enforcement officials.

(1) The term "criminal activity in the library", as used in this Subsection, shall mean an activity which constitutes a crime, or otherwise constitutes an offense or violation of any law or ordinance, occurring:

- (a) Within any library building,
- (b) Upon any library property, or
- (c) Near a library and the proximity of such activity to a library or library property constitutes an element of the offense.

(2) The term "information", as used in this Subsection shall include but not be limited to electronic data files, security surveillance video tapes, or other records or materials which may constitute evidence which would assist law enforcement officers in identifying the individual or group of individuals who may have committed criminal activity in the library.

Added by Acts 1983, No. 523, §1; Acts 1991, No. 938, §4; Acts 2001, No. 528, §1.





**BEFORE THE CENSOR COMES:  
HOW TO PROTECT YOURSELF AND YOUR COLLECTION**

1. Have policies, procedures, and forms prepared in advance and right at hand.
  - a. Develop an official written materials selection policy based on the needs of the library's users that conforms to the Library Bill of Rights. This policy will strengthen the collection development process and provide an objective basis for evaluation. The policy should be approved by the library's governing authority with the knowledge that written selection policies are working documents which should be reviewed and revised on a regular basis.
  - b. All policies should be endorsed by the library's governing authority. They should include expeditious step-by-step procedures for handling patron complaints about library materials or services. There should always be an endorsement of the Library Bill of Rights (and/or ACRL's Intellectual Freedom Principles for Academic Libraries) in the materials selection policy.
  - c. Adopt an "Acceptable Use Policy" for your computer users. Post copies of the AUP on every computer. Several model AUPs may be found on the Web. If possible, in the text of the AUP, cite relevant state law, such as that defining obscenity, statutes regarding materials "harmful to minors," etc.
  - d. Have a reconsideration form for handling complaints about materials. A standard form should ask the complainant to answer specific questions, such as:
    - (1) Has the complainant read, viewed, etc., the material in its entirety?
    - (2) To what does the complainant specifically object?
    - (3) What specifically does the complainant think is the problem, or from where does the harm in the material come?
  - e. Tips:
    - (1) Make sure the forms and policies require that the challenge be addressed one level at a time. For example, if the complainant wants the item removed from the classroom, address the challenge that way—if from the library also, make that a separate complaint.
    - (2) Make sure you have incorporated a reasonable time line for the procedures to take place. Adhere to it fairly strictly, but don't be unreasonable.
    - (3) Have a mechanism in place for the appointment of a reconsideration committee, which should include yourself, an administrator, and another librarian.
    - (4) Be aware that policies created in response to a specific individual or event will not stand up in court. You cannot enforce policies retroactively.
  - f. Have a library service policy that covers registration policies, programming, use of facilities, and other services involving access issues.
    - (1) Hold in-house training and periodic reviews for all staff. Develop a program that includes periodic in-service training to acquaint staff and the governing authorities with the Library Bill of Rights and the principles of intellectual freedom and with the library's own policies and procedures for handling complaints. All staff should attend—clerks, shelvers, administrators. Take nothing and no one for granted.
2. Know who the library's legal counsel is. Be aware of your legal standing. Any subpoena should be examined by the library's legal counsel to make sure it is in proper form, has been issued by a judge in the correct jurisdiction, and that good cause has been shown for its issuance. Do not be intimidated into complying with a subpoena until the library's legal counsel has been consulted
3. Make provisions for maintaining open lines of communication with civic, religious, educational, and political bodies in the community. The library's governing authority as well as staff participation in local civic organizations is important for familiarizing these organizations with the library's selection process and with intellectual freedom principles. Form "understandings" or outright coalitions with other teachers, librarians, library groups, anti-censorship groups, and parent groups.
4. Necessary as all of this is, try not to get stuck in an "us v. them" mentality. Try to work with complainants as far as you can within the ethical framework of the library profession.

## Good ideas for school libraries

Organize a Media Advisory Committee that will support the library.

1. Ask your principal to help appoint a committee representative of each grade level. Include a parent representative, a student representative, and an administrator. Involve community members—ministers willing to speak against censorship are a wonderful asset.
2. Make sure you keep these people informed as to the latest trends in censorship—monitor the Office for Intellectual freedom listserv, read *Library Journal* and/or *School Library Journal*, and check the Office for Intellectual Freedom website (<http://www.ala.org/alaorg/oif/>) periodically.
3. Educate yourself concerning the legal precedents affecting library materials. ALA's Banned Books Week manual gives synopses of the most important intellectual freedom cases, including Pico, Hazelwood, and Kreimer.
4. Some very experienced school librarians have recommended that school library media specialists do their best to read or view every piece of library material under their care. This will take time and effort but will be worth it in terms of knowing your collection.

## Additional suggestions for public libraries

1. Have policies that cover bulletin boards, exhibit areas, meeting rooms. Treat all groups who use these facilities equally.
2. If a challenge incident involves confidentiality of library records, cite the Library Registration and Circulation Records" provision of the Louisiana Revised Statutes (R.S. 44:13) which protects the privacy of individuals' circulation records.

As used in this section, the term "registration records" includes any information that a library requires a patron to provide in order to become eligible to borrow books and other materials. The term "circulation records" includes all information that identifies the patrons borrowing particular books and other materials.

Adapted from materials furnished by the Minnesota Coalition Against Censorship, the ALA Office for Intellectual Freedom's *Confidentiality in Libraries: An Intellectual Freedom Modular Education Program*, and the wisdom of many experienced librarians.



## HANDLING COMPLAINTS

When an individual or group attempts to prevent the free exchange of ideas by having materials removed from any library on the basis of moral or political grounds the LLA Intellectual Freedom Committee recommends the following steps:

1. Implement the steps included in **Before the Censor Comes: How to Protect Yourself and Your Collection.**
2. Remain calm and do not take the complaint personally. Listen to the patron's objections in a courteous and respectful manner.
3. Explain to the concerned individual that you appreciate his/her interest and that your parish/school district has a policy and a procedure for handling such situations.
4. Try to defuse the situation without committing the library to any specific course of action. In many instances patrons do not want to lodge a formal complaint; rather they merely want to express their views. Do not put the patron on the spot by characterizing the complaint as a threat to the library.
5. Do not indicate if there have been previous complaints about the book or provide reviews at this point.
6. If the situation cannot be resolved through discussion and reasoning, initiate the reconsideration procedures as set forth in the library's Materials Selection Policy or the Library Service Policy. The reconsideration process will vary from library to library, but in every instance it should be fair and expeditious.
7. Give the complainant a reconsideration form to fill out and make sure it is signed..
8. Notify your administrator of the challenge, and stress the importance of following your selection policy. If requested, schedule a meeting to discuss the policies and procedures with the complainant.
9. Report the incident to the LLA Intellectual Freedom Committee by completing the Request for Assistance Form. If support from other agencies is needed, contact the American Library Association's Office for Intellectual freedom.
10. Once the request for reconsideration has been reviewed, communicate the results of the process to the initiator in writing, explaining the procedure and justifying the final decision.
11. If the incident involves confidentiality of library records, cite the "Library Registration and Circulation Records" provision of the Louisiana Revised Statutes (La. R. S. 44:13), which protects the privacy of individuals' circulation records. As used in this section, the term 'registration records' includes any information which a library requires a patron to provide in order to become eligible to borrow books and other materials. The term "circulation records" includes all records "indicating which of [the library's] documents or other materials, regardless of format, have been loaned to or used by an identifiable individual or group of individuals." Except in cases specifically addressed in this statute regarding criminal activity in the library, attorneys and law enforcement officials seeking such information must present a subpoena establishing that the information requested is relevant to an ongoing investigation or case. Any subpoena should be examined by the library's legal counsel.
12. Generally it is better to avoid making the incident a public issue, but if this should happen, seek support of the local media and intellectual freedom support groups.

## STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The library values your opinion. If you would like us to reconsider the presence in our collection of any library material, please complete this form, indicating as clearly as possible the nature of your concern. If your concerns relate to a library program or other library services, please indicate in the appropriate space. A librarian will contact you in the near future to discuss your request.

Your Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ (work) \_\_\_\_\_ (home)

### Library Materials Or Services Of Concern

Book \_\_\_ Textbook \_\_\_ Video \_\_\_ Magazine \_\_\_ Newspaper \_\_\_ Pamphlet \_\_\_ Play \_\_\_ Student Publication \_\_\_\_\_

Artwork \_\_\_ Audiovisual Material \_\_\_ Library Program \_\_\_ Collection \_\_\_ Exhibit \_\_\_ Performance \_\_\_ Speech \_\_\_\_\_

OnLine Resources \_\_\_ Other \_\_\_\_\_

- A. **TITLE:**
- B. **AUTHOR OR PRODUCER:**
- C. **WHAT BROUGHT THIS TITLE TO THE COMPLAINANT'S ATTENTION?**
- D. **HAS THE COMPLAINANT READ, VIEWED, ETC., THE MATERIAL IN ITS ENTIRETY?**
- E. **TO WHAT DOES THE COMPLAINANT SPECIFICALLY OBJECT?**
- F. **WHAT SPECIFICALLY DOES THE COMPLAINANT THINK IS THE PROBLEM, OR FROM WHERE DOES THE HARM IN THE MATERIAL COME? (USE OTHER SIDE OF THIS FORM IF NECESSARY.)**
- G. **WHAT MATERIALS DO YOU SUGGEST WE SUBSTITUTE FOR THESE THAT WILL PROVIDE THE SAME LEVEL OF INFORMATION ON THIS SUBJECT?**
- F. **IF YOUR CONCERNS ARE FOR OTHER THAN LIBRARY MATERIALS PLEASE STATE THEM BELOW. (USE OTHER SIDE OF THIS FORM IF NECESSARY.)**

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

## LIBRARIAN'S REPORT AND/OR REQUEST FOR ASSISTANCE

Information provided in this report will be used by the LLA/Intellectual Freedom Committee to record censorship incidents in Louisiana. The information will also be used by the Committee to assist, if requested, in resolving the incident described. The report will be treated as confidential unless the reporting librarian authorizes otherwise.

LIBRARIAN'S NAME \_\_\_\_\_

TITLE \_\_\_\_\_

LIBRARY \_\_\_\_\_

ADDRESS \_\_\_\_\_

\_\_\_\_\_

TELEPHONE \_\_\_\_\_ (WORK) \_\_\_\_\_ (HOME)

DATE OF INCIDENT \_\_\_\_\_

DESCRIPTION OF INCIDENT AND LIBRARY MATERIALS CHALLENGED

(Use back of this form if more space is needed)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

COMPLAINT(S) \_\_\_\_\_

\_\_\_\_\_

HAS COMPLAINANT FILED A COMPLAINT / RECONSIDERATION FORM DETAILING  
OBJECTIONS TO LIBRARY MATERIALS IN QUESTION? \_\_\_\_\_ If so, please attach copy.

WHAT ACTION HAS BEEN TAKEN? \_\_\_\_\_

HAS LEGAL ADVICE BEEN SOUGHT? IF SO, FROM WHOM?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

HAS INCIDENT BEEN REPORTED IN LOCAL NEWS MEDIA? \_\_\_\_\_ If so, please attach clips or describe.

\_\_\_\_\_

\_\_\_\_\_

WHAT KIND OF ASSISTANCE (IF ANY) IS SOUGHT FROM LLA / IFC?

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DOES YOUR LIBRARY HAVE A WRITTEN MATERIALS SELECTION POLICY? \_\_\_\_\_

HAS THE LIBRARY'S GOVERNING AUTHORITY OFFICIALLY ENFORCED THE LIBRARY BILL OF RIGHTS?

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DOES THE LLA AND THE INTELLECTUAL FREEDOM COMMITTEE HAVE YOUR PERMISSION TO DISCUSS THE DETAILS OF THIS INCIDENT WITH OTHER CONCERNED ORGANIZATIONS, INCLUDING THE PRESS? \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**Mail to:**  
LLA Office  
421 South 4th Street  
Eunice, Louisiana 70535

Or E-Mail: [office@llaonline.org](mailto:office@llaonline.org)

**Other LLA contact information:**  
337-550-7890 (voice)  
337-550-7846 (fax)

## AGENCIES TO CONTACT FOR ASSISTANCE

When situations stemming from complaints appear to have become an uncontrollable controversy, the librarian should consider contacting organizations which have traditionally defended intellectual freedom. All websites last visited October 18, 2005.

### **Louisiana Library Association**

Intellectual Freedom Committee  
421 South 4th Street  
Eunice, Louisiana 70535  
E-Mail: [office@llaonline.org](mailto:office@llaonline.org)  
Beverly Laughlin, Executive Director  
<http://www.llaonline.org>

### **American Booksellers Foundation for Free Expression**

139 Fulton Street, Suite 302  
New York, NY 10038  
(212) 587-4025  
Christopher Finan, President  
<http://www.abffe.org/>

### **American Civil Liberties Union Louisiana Affiliate**

P. O. Box 5103  
New Orleans, LA 70821-5103  
Telephone: 866-522-0617  
Joe Cook, Executive Director  
<http://www.laaclu.org/>

### **American Civil Liberties Union National Office**

125 Broad Street, 18th Floor  
New York, New York 10004-2400  
(212) 549-2500  
Ira Glasser, Executive Director  
[www.aclu.org](http://www.aclu.org)

### **American Library Association Office for Intellectual Freedom**

50 East Huron Street  
Chicago, IL, 60611  
1-800-545-2433 Ext. 4223  
Judith Krug, Executive Director  
[www.ala.org/oif](http://www.ala.org/oif)

### **Electronic Privacy Information Center**

EPIC National Office  
1718 Connecticut Ave. NW  
Suite 200  
Washington, DC 20009  
(202) 483-1140  
Marc Rotenberg, Director  
[www.epic.org](http://www.epic.org)

### **Free Expression Network**

<http://www.freeexpression.org/>  
Email: [L RKaplan@ncac.org](mailto:L RKaplan@ncac.org)

### **Freedom to Read Foundation**

50 E. Huron Street  
Chicago, IL, 60611  
(312) 280 – 4226  
Judith Krug, Executive Director  
<http://www.ftrf.org/>

### **Modern Language Association of America**

26 Broadway  
3rd Floor  
New York, NY 10004-1789  
(646) 576-5000  
<http://www.mla.org/>

### **National Campaign for Freedom of Expression**

1736 Franklin St., 9th Floor  
Oakland, CA 94612  
(510) 208-7744  
Email: [fap@thefirstamendment.org](mailto:fap@thefirstamendment.org)

### **National Coalition Against Censorship**

275 7th Ave.  
20th Floor  
New York, NY 10001  
(212) 807 – 6222  
Joan Bertin, Director  
[www.ncac.org](http://www.ncac.org)

### **PEN American Center**

588 Broadway, Suite 303  
New York NY 10012  
(212) 334-1660  
Michael Edwards, Executive Director  
[www.pen.org](http://www.pen.org)

### **People For the American Way**

2000 M Street, NW, Suite 400  
Washington, DC 20036  
202-467-4999 or 800-326-7329  
Ralph G. Neas, President  
<http://www.pfaw.org>

### **Student Press Law Center**

1101 Wilson Blvd., Suite 1100  
Arlington, VA 22209-2275  
(703) 807-1904  
Mark Goodman, Executive Director  
[www.splc.org](http://www.splc.org)

### **Thomas Jefferson Center for the Protection of Free Expression**

400 Worrell Drive  
Charlottesville, Virginia 22911-8691  
(434) 295-4784  
Email [freespeech@tjcenter.org](mailto:freespeech@tjcenter.org)  
Robert O'Neill, Director  
<http://www.tjcenter.org/>

## SUGGESTED READINGS AND WEBSITES

All websites last visited October 20, 2005

### General Sources

American Library Association. *Intellectual Freedom Manual*, 7th ed. Chicago, IL: American Library Association, *forthcoming*.

American Library Association, "The Librarian's Guide to Great Web Sites for Kids," <<http://www.ala.org/ala/alsc/greatwebsites/greatsitesbrochure.pdf>> (October 20, 2005).

Arizona Dept. of Library, Archives, and Public Records Intellectual Freedom Training Site, <<http://www.dlapr.lib.az.us/cdt/intell.htm>> (October 20, 2005).

Asheim, Lester. "Not Censorship But Selection." *Wilson Library Bulletin* 28 (September 1953): 66.

Bald, Margaret. *Literature Suppressed on Religious Grounds*. New York, NY: Facts on File, 1998.

Blanshard, Paul. *The Right to Read*. Boston: Beacon Press, 1955.

Cain, Charlene, ed. "Intellectual Freedom: A Theme Issue." *LLA Bulletin* 58, no. 3 (Winter 1996). *Contains articles related to specific types of libraries*.

Cohen, David. "Selection and Racism." *Library Journal* (Oct. 15, 1969): 3,585.

Florida Library Association, Intellectual Freedom Manual, <<http://www.flalib.org/library/fla/ifmanual.htm>> (October 20, 2005).

Foerstel, Herbert N. *Banned in the Media: A Reference Guide to Censorship in the Press, Motion Pictures, Broadcasting, and the Internet*. Westport, CT: Greenwood Press, 1998.

Geller, Evelyn. *Forbidden Books in American Public Libraries, 1876-1939: A Study of Cultural Change*. Westport, CT: Greenwood Press, 1984.

Greiner, Joy M. "Professional Views: Intellectual Freedom as a Professional Ethic." *Public Libraries* (March/April 1989): pp. 69-72.

Heckart, Ronald J. "The Library as a Marketplace of Ideas (Librarianship's Notions of Intellectual Freedom)." *College & Research Libraries* (Nov. 1991): pp. 491 – 505.

Hentoff, Nat. *Free Speech for Me—But Not for Thee: How the American Left and Right Relentlessly Censor Each Other*. New York, NY: HarperCollins Publishers, 1992.

Hoffman, Frank. *Intellectual Freedom and Censorship: An Annotated Bibliography*. London: The Scarecrow Press, Inc., 1989.

Hurwitz, Leon. *Historical Dictionary of Censorship in the United States*. Westport, CT: Greenwood Press, 1985.

Karolides, Nicholas J. *Literature Suppressed on Political Grounds*. New York, NY: Facts on File, 1998.

Karolides, Nicholas, J., Lee Burrell and John M. Kean. *Censored Books: Critical Viewpoints*. Metuchen, NJ: Scarecrow Press, 1992.

Madden, David. "Censorship in Louisiana." *The American Right to Read Newsletter* 4, No.1 (1985): 1.6.



Mart, Susan N., Protecting the Lady from Toledo: Post-USA PATRIOT Act Electronic Surveillance at the Library," *Law Library Journal* (Summer, 2004): 449-473.

New Hampshire Library Association , Intellectual Freedom page, <<http://www.state.nh.us/nhla/if1.htm>> (October 20, 2005).

Noble, William. *Bookbanning in America: Who Bans Books?—And Why?* Middlebury, VT: Paul S. Eriksson, Publisher, 1990.

Pinell-Stephens, June. "Libraries: A Misunderstood American Value." *American Libraries* 30, no.6 (June/July 1999): 76-81.

Smith, Mark. *Internet Policy Handbook for Libraries*. New York: Neal-Schuman, 1999.

Sova, Dawn B. *Literature Suppressed on Sexual Grounds*. New York, NY: Facts on File, 1998.

Sova, Dawn B. *Literature Suppressed on Social Grounds*. New York, NY: Facts On File, 1998.

University of North Texas Library School Statement on Ethics ,<<http://people.unt.edu/~skh0001/is/ethics.html>> (October 20, 2005).

Virginia Library Association, Intellectual Freedom Committee <http://www.vla.org/IFC/toc.htm>

Wiegand, Wayne, ed. "Intellectual Freedom Theme Issue." *Library Trends* 45, no.1 (Summer 1996). *Contains articles related to specific types of libraries and issues.*

Woodward, Diana, ed. "Intellectual Freedom /Parts I & II." *Library Trends* (Summer / Fall 1990): pp. 1 – 185.

### **Academic Libraries**

ACRL Intellectual Freedom Committee. "Intellectual Freedom Principles for Academic Libraries: Third Draft." *C&RL News* 60 (June 1999): 470.

Cors, Paul B. "Academic Libraries and Intellectual Freedom," *ALA Intellectual Freedom Manual*, 5<sup>th</sup> ed. Chicago, IL: American Library Association, 1996.

Jones, Barbara, "The Academic Aspects of Intellectual Freedom." *American Libraries* 30 (June/July 1999): 80.

### **Public Libraries**

Cornog, Martha. "Is Sex Safe in Your Library? How to Fight Censorship." *Library Journal* (August 1993): pp. 43 – 46.

Curry, Ann. *The Limits of Tolerance: Censorship and Intellectual Freedom in Public Libraries*. London: The Scarecrow Press, Inc., 1997.

Harkovitch, Michael; Amanda Hirst, and Jenifer Loomis. "Intellectual Freedom in Belief and in Practice," *Public Libraries*, v. 42, no.6 (Nov./Dec. 2003): 367-74.

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Kirk, Eryse. *The Black Experience in Books for Children and Young Adults*. Ardmore, OK: Positive Impact, 1993.

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Symons, A.K. & Harmon, C. *Protecting the Right to Read: A How-To-Do-It Manual for School and Public Libraries*. New York: Neal-Schuman Publishers, Inc., 1995.

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### **Schools and School Libraries**

Bradley, Julia T. "Censoring the School Library: Do Students Have the Right to Read?" *Connecticut Law Review* 10 (Spring 1978): 747-771.

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Reichman, Henry. *Censorship and Selection: Issues and Answers for Schools*. Chicago: ALA; Arlington, VA: American Assn of School Administrators, 1993.

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**An Update on the U.S.A. P.A.T.R.I.O.T Act**  
by Charlene C. Cain

As of the date of this publication, Congress has reached no consensus regarding sunset provisions for §215 of the U.S.A. P.A.T.R.I.O.T. Act. Section 215 allows library and bookseller records containing personally identifiable customer information to be construed as business records for purposes of investigations under the law. As such, library circulation records and computer sign-up sheets, considered confidential under many state laws including those of Louisiana, are subject to search by invocation of the P.A.T.R.I.O.T. Act. At this time, a compromise allowing §215 to sunset in 2015 has yet to be reached.

In August 2005, the American Civil Liberties Union filed a lawsuit in federal district court as a means to challenge §505 of the Patriot Act and obtain release from its gag provision, so that the ACLU's unnamed client, John Doe, from a Connecticut library organization could identify himself as the recipient of a national security letter. It was hoped that by lifting the gag, John Doe would be able to participate during the fall of 2005 in Congress' deliberations regarding the renewal of P.A.T.R.I.O.T.

U.S. District Court Judge Janet Hall removed the gag order related to the case on September 9, 2005, but granted the Department of Justice time to appeal [Doe v. Gonzales, No. CA 3:05-cv-1256(JCH), (D Conn., 2005)]. Later in September, the U.S. Court of Appeals for the Second Circuit in Manhattan granted a full stay of Hall's decision [Doe v. Gonzales, No. 05-0570-cv (2d Cir. Sept. 16, 2005)], which prompted the ACLU to appeal to the United States Supreme Court. On October 7, Justice Ruth Bader Ginsburg declined to vacate the stay in an emergency appeal by the American Civil Liberties Union, noting that the Second Circuit should be given time to allow the case a full airing [ Doe v. Gonzales, 05A295, slip op. at 7 (U.S. October 9, 2005), <http://a257.g.akamaitech.net/7/257/2422/07oct20051700/www.supremecourtus.gov/opinions/05pdf/05a295.pdf>].

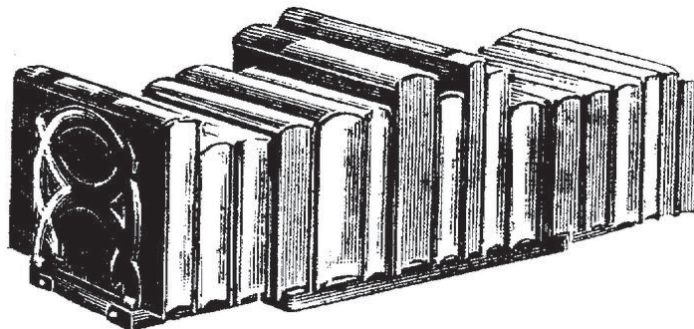
The Second Circuit is expected to take up the case in early November 2005.

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American Civil Liberties Union, *ACLU v. Gonzales Redacted Complaint*, <http://www.aclu.org/SafeandFree/SafeandFree.cfm?ID=18956&c=262> (October 31, 2005).

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American Civil Liberties Union, *Librarians, Lawmakers and Conservatives Join ACLU in Call to Lift Gag Order, Say "John Doe" Must Be Allowed to Participate in Patriot Act Debate*, September 28, 2005 <http://www.aclu.org/SafeandFree/SafeandFree.cfm?ID=19177&c=206> (November 2, 2005).

Connecticut Library Consortium, <http://www.ctlibrarians.org/news/patriotact.html> (November 2, 2005).



**Suggested Library Protocols under the  
Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct  
Terrorism Act of 2001  
(U.S.A. P.A.T.R.I.O.T Act, signed into law October 26, 2001,  
as an amendment to more than 15 federal statutes)**

**How should library staff react if faced with a FISA Court order under the USA PATRIOT Act?**

**Advance preparation**

1. Designate individuals who will be responsible for handling law enforcement requests in the absence of the administrative librarian.
2. Train all library staff, including student workers, on the library's procedure for handling law enforcement requests. It is lawful to refer the agent or officer to an administrator in charge of the library; immediate response to a request is not necessary.
3. Create a library confidentiality policy and review state confidentiality law with the library's legal counsel.
4. The court order may require removal of a computer workstation or other computer storage device from the library. Make arrangements to address service interruptions. Prepare for any necessary backups for equipment and software.

**When the agent or other law enforcement officer comes to the library...**

1. Staff must ask for identification if they are approached by an agent or officer and immediately refer the agent or officer to the administrative librarian.
2. The administrative librarian should meet with the agent and library counsel or another colleague in attendance.
3. If the agent or officer presents a court order, the administrative librarian should immediately refer the court order to the library's legal counsel for review.
4. When served with a search warrant issued by a FISA court, the person or institution served with the warrant cannot disclose that the warrant has been served or that records have been produced pursuant to the warrant.
5. When served with a search warrant issued by a FISA court, the library staff *must comply with the order*.

**What if the agent doesn't have a court order?**

The administrative librarian should explain the library's confidentiality policy and the state's confidentiality law, and inform the agent or officer that users' records are not available except when a proper court order issued by a judge in the proper jurisdiction has been presented to the library.

- ◆ The FBI and/or local law enforcement has authority to compel cooperation with an investigation or require answers to questions, other than the name and address of the person speaking to the agent or officer, *only with a court order*.
- ◆ The agent or officer may persist or make an appeal to patriotism. The administrative librarian should explain that, as good citizens, the library staff will not respond to informal requests for confidential information, in conformity with professional ethics, First Amendment freedoms, and state law.

**For further information, see:**

American Library Association, The USA Patriot Act & Intellectual Freedom, <<http://www.ala.org/ala/oif/ifissues/usapatriotact.htm>> (October 29, 2005).

Library Law.com, <<http://www.librarylaw.com/Privacy.html>> (October 20, 2005).

Harris, Stan, and Gaines Cleveland. USA PATRIOT Act: Responding to Library Concerns, *U. S. Attorney's Bulletin*, v. 52, no.4 (July 2004): 42-46.

Mary Minow, USA PATRIOT Act and Patron Privacy on Library Internet Terminals <<http://www.librarylaw.com/publicrecords.html>> (October 20, 2005).

## *Hurricanes Close Libraries but the Service Doesn't Stop*

It has been a difficult Fall here in South Louisiana. Hurricanes Katrina and Rita interrupted the education of over 75,000<sup>1</sup> higher education students, displaced faculty and staff, damaged campus facilities and ruined library inventory. That's the bad news. The good news is that most sites are planning to hold classes in January 2006 and some were able to offer online courses for the Fall 2005 semester.

Right after Katrina came through, the LOUIS staff gathered to decide how we could help these sites. The LOUIS Disaster Recovery Plan was written to cover emergencies at our office but it did not include procedures to follow if our customers libraries were damaged and closed for an extended period of time. Our office did not receive any damage and the libraries that use the Sirsi Unicorn Library Automation System stored on our servers, still had an online catalog available for their patrons. We added a note to their catalog search screen stating that the site was closed but the catalog was still available for searching. The patrons were unable to check out the physical materials but they could get access to online resources like NetLibrary.

One of the most important items on our agenda was to create a web page with links for our system administrators. We included information about how we could handle the reports that their systems would continue to process and gave them options for handling the electronic load of government document and other bibliographic records that would continue to arrive from the vendors. The page also included links to special Katrina pages on the ALA and Solinet web sites plus a list of alternate phone numbers and e-mail addresses for the system administrators and other displaced library personnel.

The LOUIS office also began receiving calls from vendors wanting to help. EBSCO and Elsevier provided access to additional medical databases that were not part of any contract. These were resources that were needed by the health-care workers assisting patients in the temporary clinics and hospitals that were operating across South Louisiana. The

information was distributed through statewide listserves.

Other databases licensed by the libraries and LOUIS were still available for library patrons but the library web pages that contained the links to the web sites were unavailable. Directing the patrons to the LOUIS database links proved to be difficult. It wasn't long before our contacts at the closed campuses began the process of retrieving their servers and relocating them to a different location or recreating their web pages on new servers. In some cases these library staff members were in different states but still working and committed to serving their patrons.

The generosity of the undamaged libraries has been tremendous. Many sites were able to provide office space for the displaced library staff members and we saw University of New Orleans staff working from Louisiana State University Libraries, Delgado Community College staff at Baton Rouge Community College, and Southern University New Orleans staff at the Southern University campus.

In the coming months, we are looking forward to working with and helping libraries as they evaluate the damage to their collections, begin the recovery process, update their catalogs, and check out materials.

<sup>1</sup>Louisiana Board of Regents Statewide Student Profile System. "Student Credit Hour Production." Fall 2004-2005. Louisiana Board of Regents. 5 Dec. 2005

<<http://as400.regents.state.la.us/pdfs/ssps/fall04/spschfte204.PDF>>.

*Lisa Stigall is a Consortium Librarian for LOUIS: The Louisiana Library Network*  
(<http://www.louislibraries.org>).

## *In Library Products and Services*

### **Pasadena/Glendale Public Libraries are First in Nation with Downloadable Classical Music**

Pasadena/Glendale (CA) Digital Library recently became the first public library in the nation to provide high-quality digital classical music titles for download alongside best-selling eBooks and audiobooks.

The Pasadena/Glendale Digital Library was developed for the libraries by Digital Library Reserve and book and music content is licensed through OverDrive, Inc. The service offers immediate download access to audiobooks, eBooks, and classical recordings from the Naxos Music Library including Vivaldi, Tchaikovsky, Verdi, Puccini, Mozart, Haydn, Gershwin, and Beethoven.

Claudia Weissman, Director of Business Services for OverDrive said, "The portable digital formats for eBooks, audio books, and digital music offer countless advantages for readers, business travelers, and students. Users find the fact that there is no need to return items extremely convenient; when the loan period is over the file expires and the materials are automatically checked back in."

[www.dlrrinc.com](http://www.dlrrinc.com)

<http://pas-gdl.lib.overdrive.com>

### **New DVD Introduces Kids to Justice System**

*Kids Go to Court* is a new educational DVD that combines live action and animation to teach kids about the justice system and demonstrates the court procedure through a mock trial. Students will learn how societal disputes result in a trial, the role of lawyers, judges, bailiffs, the jury and witnesses. After viewing the program, students will have a better understanding of the role of the court system in society and the importance of trials. *Kids Go to Court* comes complete with Teachers Guide.

[www.tmwmedia.com](http://www.tmwmedia.com)

### **Syndetic Solutions Introduces New Content Options for Enhancing Libraries' Online Catalogs**

Syndetic Solutions, a subsidiary of R.R. Bowker and

provider of enriched content for a library's online catalog, has added a series of new data sources for enriching a library's online catalog.

Enrichment options include cover images, summaries, fiction profiles, biography profiles, author notes, first chapters, excerpts, tables of contents, and book reviews.

All of the new data features from Syndetic Solutions can be previewed by visiting the company's totally redesigned and user-friendly Web site. The four new data sources now available to libraries include the following:

- Expanded book reviews
- Awards
- Fiction profiles (e.g., genre, major and ancillary topics, main characters, time periods, etc.).
- Book series information

[www.syndetics.com](http://www.syndetics.com)

### **Standard Deviants New Product Line Covers Ten Core Curriculum Subjects**

Standard Deviants, a leading producer of educational programming for the classroom, has combined the best of its programming into interactive systems that make teaching more effective than ever. Meeting today's stringent classroom standards, these easy to use teaching systems contain educational multimedia on DVD and VHS, class notes and handouts, quiz questions, a correlation to state standards, MARC records and an interactive CD-ROM.

Offering 91 different Standard Deviant School Teaching Systems in all, the content is designed to help target instruction in specific areas and age groups, from middle school through high school. These new teaching are available in the following core curriculum subjects:

- Algebra
- Biology
- Chemistry
- English Grammar
- Physics
- Basic Math
- Nutrition
- American Government

- Shakespeare
- Spanish

The Standard Deviants School Teaching Systems enable teachers and students to work at their own pace by simply pausing the program or reviewing difficult sections as needed. Each program is approximately 25 to 30 minutes long, leaving time for teacher and student participation. The class notes and quizzes also ensure each topic is mastered before proceeding to the next lesson.

[www.standarddeviants.com](http://www.standarddeviants.com)

### **Glendale Public Library Increases Self-Service Options**

Glendale (AZ) Public Library has implemented a suite of Web-based software modules that automate manual processes and reduce staff paperwork. Glendale is using a Web-based event calendar with online registration, a staff online room-booking program, and an automated event notification system, all from e.vanced solutions, inc. e.vanced solutions will provide a hosted implementation of E.vents, E.roomreserve, and E.notify, integrated with Glendale's existing Web site.

Glendale's challenges revolved around frustrating paperwork and the desire to make event registration a positive experience for patrons - and a no-brainer for staff. "All our branch libraries use a paper copy of room reservations that could be easily lost - and impossible to re-create. We need a system so staff can see what rooms are available at each of the Glendale libraries for program planning. With E.roomreserve, staff won't have to worry about misplacing the room reservation notebook," said Cheryl Kennedy, Adult Services Librarian. As for online registration, she said "The E.vents piece will cut down on the hours librarians spend listening to voice messages and registering people by hand for the events. The E.notify e-mail reminders will cut down on the time it takes to call everyone registered personally. We think this will really increase attendance."

[www.e-vancedsolutions.com](http://www.e-vancedsolutions.com)

### **SirsiDynix Launches Online Discovery Portal for Schools**

SirsiDynix announced a collaborative effort with INFOhio, the Information Network for Ohio Schools, to create SirsiDynix School Rooms, a com-

prehensive and integrated multimedia online discovery portal for K-12 schools. Based on the SirsiDynix Rooms content management platform, School Rooms combines teacher-selected, standards-based content with student-friendly software to promote exploration and learning and to supplement any curriculum.

Content is accessed through virtual Rooms that help students discover information, provide educators and librarians with access to quality materials, and enable parents to find appropriate resources for improving their child's education. SirsiDynix and INFOhio worked together to identify credentialed educators and librarians, along with interested parents to select, design, test, and certify School Rooms content to meet national and state education standards.

[www.sirsidydux.com](http://www.sirsidydux.com)

### **Three New Products for Integrating Electronic Resources**

Innovative announced that Oregon State University will use *Innovative's WebBridge* to provide linkage from Google Scholar to electronic items and resources in its collection.

The university provides access to nearly 18,000 unique e-journal titles across 150 information packages. Using the WebBridge smart-linking tool, Oregon State University Library users already have the ability to link from most of the library's index and abstract databases to library holdings. In addition, WebBridge provides search-specific suggestions of related resources to patrons when searching the online catalog. The new Google Scholar integration means that citations presented to users of the search engine will include direct links to the library's resources.

[www.iii.com](http://www.iii.com)

To provide the end user with a single interface for both EBSCOhost database searches and article-level searches within EBSCOhost Electronic Journals Service (EJS), *EBSCO* has created the *EJS E-Journals database*. EJS E-Journals is available to any EJS Enhanced customer who currently subscribes to at least one EBSCOhost database. EJS customers who meet these criteria will have EJS E-Journals automatically activated.

[www.ebsco.com](http://www.ebsco.com)

**Auto-Graphics, Inc.** announced the availability of a **Web Service interface** to the complete family of AGen products. This Web-based enterprise application uses open, XML-based standards and transport protocols to facilitate the exchange of data between the company's AGen technology platform and other client applications, thus allowing for the presentation of information in a unified interface.

Web Services addresses the needs of thousands of libraries that have invested in a variety of vendor automation products but struggle to make them all "fit" in a seamless and integrated manner. With Auto-Graphics' Web Services, customers are now able to write an Application Programming Interface (API) to customize the user interface or "front end" according to their own preferences and specifications, while utilizing the AGen technology platform as their back-end infrastructure to "quarterback" the various library automation functions.

[www.auto-graphics.com](http://www.auto-graphics.com)

### **Super Searchers Go to School**

*Sharing Online Strategies with K-12 Students, Teachers, and Librarians*

By Joyce Kasman Valenza; Edited by Reva Basch

In this new book twelve prominent K-12 educators and educator librarians share their techniques and tips for helping students become effective, life-long information users. Through a series of interviews, Joyce Kasman Valenza (columnist for the Philadelphia Inquirer and herself a tech-savvy high school librarian) gets the experts to reveal their field-tested strategies for working with student learners and educator peers. Readers will discover techniques for teaching search tool selection, evaluating result lists and Web sites, deciding when to use a professional database or the Invisible Web, and much more. This is a must-read for any teacher, librarian, or parent whose aim is to equip students with the skills and habits they will need to succeed in an information-driven society.

[www.infotoday.com](http://www.infotoday.com)

### **Blackwell's Book Services Collection Manager to Feature 25,000+ Ebook Library Titles**

Blackwell's Book Services announced the addition of over 25,000 titles from Ebook Library (EBL) to Collection Manager, their free Web-based acquisition and collection development system. Customers

will be able to order EBL ebooks in the same way as print books, using the familiar Request, Order, and Export features. Customers using EDI technology can also transmit electronic orders for ebooks directly to Blackwell's.

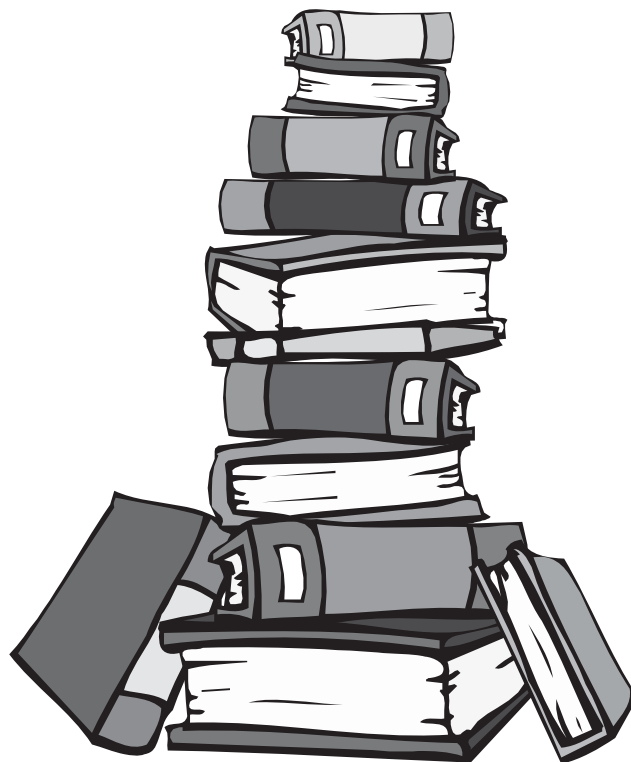
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[www.blackwell.com](http://www.blackwell.com)

*Vicki Nesting is Regional Branch Librarian at the St. Charles Parish Library in Destrehan, Louisiana.*

*The above are extracted from press releases and vendor announcements and are intended for reader information only. The appearance of such notices herein does not constitute an evaluation or an endorsement of the products or services by the Louisiana Library Association or the editors of this magazine.*





## *Bossier Parish Community College Library*

February 1, 2005, was a cold bitter day when Chancellor Tom Carleton began the ceremonies for the dedication of Bossier Parish Community College's new campus. Drifting from wind, to rain, to bits of snow, the 40 degree temperature did not reflect the exuberant spirit of the 1000 plus faculty, staff, students, board members, dignitaries, visitors, and friends of Bossier Parish Community College (BPCC).

It had taken the Chancellor more than five years to find new facilities for the college. A Southern Association of Colleges and Schools visitation in 1998 found that the college's facilities were too small for its ever growing student population. BPCC would need a plan to provide more space and upgrade its facilities or it could possibly lose its accreditation. Tougher admission standards at four year colleges and universities and obligations to the state to provide more programs were additional reasons to increase the size of the campus. At its location on Airline Drive in Bossier City the demand to enlarge would never become a possibility.

A plan for a new campus was needed and quickly. Under the Chancellor's guidance the possibilities became reality with the development of a creatively financed campus involving BPCC, the State of Louisiana, and Campus Facilities, Inc., which was established for the sole purpose of financing and building a new campus. Borrowing \$55 million in

by Ginger Bryan and Brenda Brantley

tax-exempt state bonds, Campus Facilities, Inc. was to build the buildings and lease them to BPCC for the next 25 years. Once the bonds were paid off, the corporation would give the campus to the State.

The city of Bossier City was also instrumental in supporting the construction of the campus. The city provided funding for the campus' infrastructure, including a \$1.4 million loop around the campus.

Ground for the new campus was broken on October 28, 2002, at its new site on Highway 80, near Louisiana Downs. Twenty-six months later Phase One, six new buildings, was completed. Forming a U shape and opening into a landscaped courtyard these buildings housed the following departments:

- Building A. Administration, Library, and Learning Center.
- Building B. Division of Science and Allied Health.
- Building D. Division of Telecommunications, Division of Education Technology and Electronic Learning, Division of Community Education, and Division of Workforce Development.
- Building E. Division of Behavioral and Social Sciences and Division of Mathematical and Technical Education.



- Building F Student Activity Center, also housing Admissions, Bookstore, Business Office, Financial Aid, Counseling, Student Activities, Recruitment and Culinary Arts.
- Building G. Division of Business and Computer Sciences and the Division of Liberal Arts.

Phase Two, a health and physical education center and a theatre/auditorium, would open Fall Semester 2005. At three times the size of the old campus the 334,000 square feet, seventy-one acre campus consolidated all of BPCC's former campus and its complexes. Located on East Texas Street (Highway 80) in Bossier City, the campus will accommodate 10,000 students with 2000 parking spaces.

For 37 years Bossier Parish Community College has thrived in temporary buildings and overcrowded classrooms. The library had previously been housed, first in a classroom at Airline High School, and in 1987 in BPCC's new Library/Classroom Building. With just 7328 square feet of space the library's area was quickly used and was unable to expand its services by 2000. By 2001 the collection had to be heavily deselected in order to find space for new acquisitions. Additional shelves were precariously added to existing units to provide the greatly needed shelf space. In the spring of 2004 the college administration was told that space was not available to shelve materials. In order to place new acquisitions on the shelves, older yet still valuable materials were boxed and stored until the new campus was completed.

The move to the new campus during the Christmas break of 2004 took three days. The library's faculty and staff, with the assistance of the college's movers, managed to pack and ship the library's entire collection. A few members of the library staff staying at the old campus helped to keep books in order as they were packed and shipped to the new campus, where the collection was immediately placed on the shelves by the rest of the library staff. The process had been planned the month before, and except for a few glitches, went exceptionally well. By working one long weekend, the library was up and running in three days, and the staff was able to enjoy their Christmas holidays.

The new library is located in Building A, sharing space with administrative staff and the college's Learning Center. The library's 13,990 square

feet space was designed by the firm of Slack-Alost-McSwain and constructed by Shreve Land Construction.

The library has become one of the main attractions at the new campus. From hardwood floors and attractive reserve shelving in the circulation area to spacious well-lighted offices, it is very pleasing to one's eyes. Books are no longer crammed tightly on each shelf. Shelving space will be available for years to come.

One of the most rewarding additions to the library is availability of offices for both faculty and most staff. In the old library, only the Dean of Library Resources and the System Librarian were afforded office space. A large technical processing area is equipped with plenty of shelving and storage. Individual study carrels with internet access are a plus to those students who bring their laptops. Study rooms for both individuals and groups have proven to be an asset. Restrooms and an elevator are also now located in the library, something it lacked previously.

Books are housed on both floors of the library. Reference, technology, arts, literature, geography, history, and Louisiana collections, as well as oversized and children's books are located on the first floor. Biographies, fiction, generalities, philosophy/psychology, religion, social sciences, languages, natural sciences, and mathematics collections, magazines, and newspapers, numbers are found on the second floor. The Technology Resource Center (TRC), also located on the second floor, is flanked by beautiful glass windows that allow a magnificent view from the lower level. Housed here are 35 computers available for student use.

The library continues to add daily to its collection of over 35,000 items which includes not only books and periodicals but a large collection of audiovisuals as well. The library offers access to a variety of electronic resources including indexes and databases that contain numerous newspaper and journal articles. Research assistance is available from professional librarians and trained staff members. Library orientations classes are offered for various courses. Individual assistance is always available.

Since the move to its new facilities the library has become the heart of the campus. Student and material use has greatly escalated. Warm cozy surroundings provide a place for students to study, do research, or just relax with leisure reading. The TRC is so heavily used that there are waiting lists to

access computers. Plans are underway to double the size of the TRC lab by spring 2006. In its past, the library's ability to adapt as changes occur has made it successful. The library faculty and staff continue their ability to address student needs and services as they unfold on a daily basis.

Ginger Bryan is a Professor and Dean of Learning Resources at Bossier Parish Community College.

Brenda Brantley is an Associate Professor and Head of Public Services at Bossier Parish Community College.

*David Duggar is an associate professor and reference librarian at the LSU Health Sciences Center in Shreveport.*

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# Upcoming LLA Ballot

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Charlene Picheloup  
Doris Roseborough

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Theresa T. Grevious  
Sandra Stokley

## LaSSAL Section

All current officers will continue for a second term.

## Public Section Offices

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Bethany Hebert

Secretary  
Mary Des Bordes

## Subject Specialists Section

Vice Chair/Chair-Elect  
Michelynn McKnight

Secretary  
Marilyn Moore Hammond

## Trustee Section

Officers will be chosen at Section Membership Meeting at Annual Conference

Austin, Ashleigh. **St. Tammany Parish Postcards: A Glimpse Back in Time.** Gretna: Pelican Publishing, 2005. ISBN 978-1-58980-247-6. Softcover. \$10.95.

In the aftermath of Hurricane Katrina, Ashleigh Austin's new book of postcards depicting a more serene St. Tammany Parish is even more important as a historical reference for one of the fastest growing parishes in the state. In 80 pages, Austin, a Louisiana native, beautifully reproduces 115 old picture postcards from the early 1900s to the 1960s that feature St. Tammany landmarks and landscapes along the Northshore from Slidell to Covington.

The postcard images are clear and crisp with excellent resolution providing for exquisite detail and authenticity. The layout of the book is clean and spare, with two postcards per page and plenty of room for editor's notes explaining everything from postmarks to dating techniques to the images themselves. Austin includes a brief introduction and a list of sources at the end of the book.

The book is divided into ten geographic sections beginning with New Orleans East headed north. Slidell is featured in the second section, followed by the Oaklawn/Lacombe areas before moving westward to Mandeville, Abita Springs, Covington, St. Benedict, Goodbee, Madisonville/Houltonville and ending at the Causeway. In addition to the postcards is an early map of St. Tammany Parish which shows the Highway 11 bridge across Lake Pontchartrain in Slidell and two other proposed bridges in the western half of the parish – one would go on to become the Causeway, the other was slated to bulkhead in Goose Point south of Lacombe but was never built. Why postcards?

Austin, an amateur photographer, found it difficult to locate old photographs of the area. What she could find were attractive postcards in good physical condition, many of which were advertisements enticing visitors to St. Tammany Parish because of its location in the Ozone Belt. Delving further into the antique postcards, Austin studied the processes of dating the cards such as stamp box dating and the Curt Teich postcard dating system. Her expertise and historical knowledge of the images and time period add depth to the book and forms a credible reference for researchers.

As the people of St. Tammany work to rebuild a parish dealing with issues of traffic congestion and explosive exponential growth, Austin's book serves as a reminder of just how far St. Tammany has come in a relatively short time. Her personal collection of old

postcards serves as a reminder of how things used to be in St. Tammany Parish. In the introduction to the book, Austin writes the collection is a "...reference as documentation of places that had either changed through the years, or no longer existed."

The book includes several postcards featuring places that no longer exist, such as the White Kitchen near Slidell and the Mugnier Hotel in Mandeville. Other notable postcards depict the first accredited high school in the parish, along with numerous old churches, hotels and other schools, which help visually document the history of St. Tammany. Several of the old postcards were advertisements encouraging tourists to visit the abundant natural springs in the region where the water's healing and relaxation properties were touted. In fact, one postcard features an ad for Morgan's Swimming Pool and Spa in Abita Springs that boasted of a 6,000 square foot concrete pool with a sandy bottom fed by an artesian well.

St. Tammany Parish Postcards is recommended for all academic and public libraries in the state, especially those with a Louisiana history collection.

*Gabriel Morley, Director, Washington Parish (Public) Library System*

Chance, Harvey. **The Life and Selected Letters of Lyle Saxon.** Gretna: Pelican Publishing, 2003. ISBN 1-5898-0109-1. \$24.95.

Almost two generations have elapsed since the author of **Fabulous New Orleans** and compiler of **Gumbo Ya-Ya**, the collection of Louisiana folktales, has passed this good earth. So it seems fitting that a new biography of this gifted yet troubled writer should appear as we approach the 60th anniversary of his death.

Though he was born in Washington state, Saxon moved with his mother to Louisiana at a very young age and actually grew up outside of Baton Rouge. The fact that he later would claim to be a Louisiana native is evidence of how he spent much of his life "embroidering" his past, creating the persona of an erudite, popular *bon vivant* to hide what must have been a lonely and disconnected soul.

A distinct sadness seemed to pervade much of his life. His father abandoned him shortly after his birth, producing a feeling of distress Saxon never overcame. He waged a lifelong battle with ill health that was only exacerbated by later heavy drinking. He continually fretted over his abilities as a writer, and even though he exuded a jovial nature, he never seemed quite satisfied with life. Yet despite the depression that plagued him

so relentlessly, he developed many deep, long-lasting friendships which proved mutually sustaining.

Saxon's work as a journalist for the New Orleans *Times-Picayune* in the 1920s and as manager of the WPA Writers' Project gave him direct contact with the people and local culture that formed the basis for much of his writing. He lived at a time that was particularly crucial for Southern literature, when the "old South" was gradually becoming replaced by something new and more urban. This supplantation extended to the field of architecture as well, and in fact it was Saxon's efforts which helped spur preservation of much of the French Quarter that we enjoy today.

His formative time at Melrose plantation and his home at 536 Royal Street in New Orleans enabled him to meet and play host to the artistic and literary celebrities of his day. His connections included everyone from Grace King and Sherwood Anderson to Clementine Hunter and a young William Faulkner. Saxon was one of the first to promote "Clemence's" art, and his influence on and support of Faulkner, both professionally and personally, helped to establish him as an author.

This book appears to be an update of Chance's 1980 publication **Lyle Saxon: a Portrait in Letters, 1917-1945**, which itself is not widely held throughout the state. Her use of Saxon's letters, which number about fifty pages in the book, provide a unique and objective way of analyzing this fascinating individual while allowing Saxon to speak for himself. There are copious notes as well as a selected bibliography and index. A fair number of pictures scattered throughout the book enhance the text.

Sadly, it seems that Lyle Saxon has become lost to the present generation. A cursory glance of only the academic libraries in Louisiana reveal scant holdings on books about this author and his writings. This is most unfortunate considering Saxon's pivotal role in preserving Louisiana heritage. Upon his passing, writer George Sessions Perry remarked in the *Saturday Evening Post*, "the heart of old New Orleans has stopped beating."

This latest book by Harvey should help to revive appreciation of such an accomplished and enigmatic author especially in light of Louisiana's bicentennial statehood a mere two years ago. All academic and public libraries would do well to obtain a copy of this publication.

*Kevin Cuccia, Engineering and Science Librarian,  
Prescott Library, Louisiana Tech University*

Nosakhere, A.S., Hughes, M.E. & Mosby, A.P.  
**African-American Studies Core List of Resources: an Annotated List of Selected Resources used by Teachers of African-American Studies at Colleges and Universities in the United States during the 1998-99 Academic Year.** Caldwell, N.J.: Blackburn Press, 2004. ISBN 1-9328-4601-8. \$24.95.

### **African-American Studies Core List of**

**Resources** is well written and easy to read. The authors are all well qualified in the area of academic librarianship and reference; also, they are very experienced in collection development in the areas of Africana studies, African-American Studies and Social Science. Together, these authors present an annotated checklist of scholarly books that offers a snapshot of the resources used in the instruction of the black experience of the Americas during a given academic year.

There are 304 key titles listed in the book. The number of titles represented in each area varies. In some areas, such as "History - United States," there are as many as 25 titles, while several of the sociology or anthropology areas have only one title per area. The titles are organized in 50 Library of Congress subject areas, and include Library of Congress numbers, ISBN or OCLC numbers, as well as annotations of varying lengths. Unlike some earlier bibliographies, this bibliography focuses on book resources. No journals, media, or unpublished dissertations are included.

Nine appendices provide background to the study through the listing of the survey instrument and the results. This lends credibility to the study. There are two very serviceable indexes. The Title index provides an alphabetical list of all the titles, while the Author index also gives an alphabetical list of all the authors. These indexes make it easy to check a source either by author or by title.

There are several older guides of African-American studies bibliographies. One of the earliest is **The Negro in Print**, currently out of print. This is a subject index of books, documents, reports, and journal articles covering African-American life during 1965-1970. Another bibliography of significance is the comprehensive classic title **The Bibliography of the Negro in Africa and America**, by Monroe N. Wok, a publication that was the first of its kind and presented works or publications about blacks in all parts of the world from ancient times to 1928. However, none of these older publications had the focus of the bibliography under review.

This publication is unique because it is compiled exclusively from the syllabi and recommended reading lists of African-American Studies instructors who participated in the initial survey. It is a highly readable book geared toward academic department administrators, researchers, publishers of Africana materials, and librarians. With the increase of African-American Studies programs in colleges and universities, this publication will be a useful tool for any librarian acquiring materials for instruction and research in the field of African-American Studies.

*Lynette Ralph, Assistant Director, Sims Memorial  
Library, Southeastern University*

# Bienvenue

## from the LLA Office

Please help us welcome these new members of LLA, who have joined between September 10 and December 5, 2005. We thank you for joining us, and look forward to getting to know you!

**-Tammy Bouche**

Reference Librarian, Pointe Coupee Parish Library

**-Kizzy Bynum**

Director, Madison Parish Library

**-Roye Chenevert**

Branch Manager, Pointe Coupee Parish Library

**-Heather Credeur**

Instructor, University of Louisiana - Lafayette

**-Ashley Glaser**

Branch Assistant, Pointe Coupee Parish Library

**-Theresa Grevious**

Library Media Specialist, Buchanan Elementary School, (East Baton Rouge)

**-Margaret Griffon**

School Librarian, Riverdale Middle School, (Jefferson)

**-Charlotte Guidry**

Librarian, Acadian Middle School, (Lafayette)

**-Leo Harkins**

Retired

**-David Hughes, Jr.**

Assistant Director, Iberville Parish Library

**-Joseph Jarreau**

Clerk, Pointe Coupee Parish Library

**-Gerard Klein**

Director, Assumption Parish Library

**-Leola Mitchell**

Librarian, Baton Rouge Magnet High, (East Baton Rouge)

**-Cynthia Morgan**

Technical Services, Pointe Coupee Parish Library

**-Teresa Rice**

Cataloger, BPCC, (Bossier)

**-Sandra Stone**

Shelver, Pointe Coupee Parish Library

New Student members

From LSU-SLIS:

**-Alexis Carrasquel**

**-Neil Guilbeau**

**-Angelique Hurling**

**-Emily Mauldin**

From Louisiana Tech:

**-Elizabeth Koeppen**

From UL-Lafayette

**-Donna Blanchard**

New public library Trustees

**-Ella Metrejean**

(Assumption)

**-Lillie Conway**

(Morehouse)

**-Patricia Handy**

(Morehouse)

Materials which appear in *Louisiana Libraries* express the views of the respective authors and not necessarily the opinion of the editorial board. Manuscripts and inquiries should be directed to the editor. Instructions for authors of *Louisiana Libraries* articles appear in the first issue of each volume. The Louisiana Library Association is a chapter of the American Library Association.

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# Calendar

Cathy H. Tijerino, Column Editor

## 2006

SirsiDynix Super Conference  
Nashville, Tenn.  
March 5-8, 2006

Public Library Association National Conference  
Boston, Mass.  
March 20-25, 2006

Louisiana Library Association  
Lafayette, La.  
March 28-30, 2006

National Library Week  
April 2-8, 2006

Tennessee Library Association/  
Southeastern Library Association (joint conference)  
Memphis, Tenn.  
April 5-7, 2006

Texas Library Association  
Houston, Tex.  
April 25-28, 2006

Medical Library Association  
Phoenix, Ariz.  
May 19-24, 2006

Special Libraries Association  
Baltimore, Md.  
June 10-15, 2006

American Library Association  
New Orleans, La.  
June 22-28, 2006

ACRL/ARL Institute on Scholarly Communication  
Los Angeles, Calif.  
July 12-14, 2006

American Association of Law Libraries  
St. Louis, Mo.  
July 15-20, 2006

Institute for Information Literacy Immersion '06  
Boston, Mass.  
July 28-Aug. 2, 2006

ACRL/Harvard Leadership Institute  
Cambridge, Mass.  
Aug. 6-11, 2006

LITA National Forum  
Nashville, Tenn.  
October 26-29, 2006

## 2007

American Library Association Midwinter  
Seattle, Wash.  
January 19-24, 2007

ACRL National Conference  
Baltimore, Md.  
March 29-April 1, 2007

National Library Week  
April 15-21, 2007

Medical Library Association  
Philadelphia, Pa.  
May 18-23, 2007

Special Libraries Association  
Denver, Col.  
June 3-6, 2007

American Library Association  
Washington, D.C.  
June 21-27, 2007

American Association of Law Librarians  
New Orleans, La.  
July 14-18, 2007

