



# Intellectual Freedom Handbook

Prepared by the  
Intellectual Freedom Committee of the  
Idaho Library Association  
February 2007

# Table of Contents

Introduction	2
Intellectual Freedom Committee	3
Incident Report and Request Form	4
Patron Privacy & Confidentiality	5
Confidentiality and Coping with Law Enforcement Requests	7
Censorship	13
Preparing for a Challenge	14
Developing a Materials Selection Policy	15
Handling a Censorship Challenge	16
Sample Request for Reconsideration Form	17
Library Bill of Rights	18
Interpretations of the Library Bill of Rights	19
The Freedom to Read Statement	20
Intellectual Freedom Resources	24

## Introduction

Intellectual freedom is the right of every individual to hold any belief on any subject and to convey his or her ideas in any form he or she deems appropriate. It is also the right to have unrestricted access to information on any subject, regardless of the communication medium used, the content of the work, or the viewpoints of either the author or receiver of information. Intellectual freedom encourages the expression, communication and public availability of a diversity of ideas and opinions on any given subject.

Censorship is the opposite of intellectual freedom. Through censorship, a person or group attempts to limit freedom of expression or freedom of mind by denying access to specific subjects or works because they believe these materials are controversial, dangerous, or immoral. Censorship stifles inquiry, silences expression, and encourages ignorance by imposing one person's or group's set of values on society. The censor seeks to predetermine what is appropriate or inappropriate for the rest of society to think, say, read, or believe.

Today, librarians are concerned more than ever with issues that pertain to the infringement of patron access to information, through censorship, filtering, and the invasion of patron privacy. Idaho librarians are urged to report censorship challenges in their libraries to ILA's Intellectual Freedom Committee (IFC). To do so, or to request assistance, please use the *Incident Report and Request Form* included in this Handbook or contact an IFC member. The IFC will advise you on how to handle the situation or refer you to other individuals or organizations with special experience or training

This handbook is designed to be a quick reference guide to issues concerning intellectual freedom, such as privacy, confidentiality, and censorship. However, nothing in this handbook is intended, and should not be considered, as legal advice. Questions of a legal nature should always be referred to your library's attorney.

*"...the librarian who sacrifices his or her library's intellectual freedom for personal interest or gain has lost his or her right to be a librarian."*

*- Eli M. Oboler, famous Idaho librarian*

## Intellectual Freedom Committee

The Intellectual Freedom Committee (IFC) recommends to and interprets policy for the Idaho Library Association (ILA), responds to threats to intellectual freedom involving libraries in Idaho, and supports other organizations that promote intellectual freedom in Idaho and the nation. The IFC is composed of at least five members, ideally representing public, school, and academic libraries from the North, South, and Southeastern geographic regions in Idaho. Some specific duties of the IFC include:

- Advocating for open access to information for all Idaho residents;
- Monitoring national intellectual freedom issues and informing the Idaho Library Community;
- Providing, upon request, counsel to libraries and library staff facing challenges related to intellectual freedom;
- Helping librarians develop library material selection policies;
- Hosting at each annual conference at least one fundraiser for intellectual freedom.

Current IFC membership includes:

Michael Greenlee, Chair  
University of Idaho Law Library  
(p) 208-885-2161; [mjgreenl@uidaho.edu](mailto:mjgreenl@uidaho.edu)

Deborah Babbitt  
Nampa Public Library  
(p) 208-468-5814; [dbabbitt@nampalibrary.org](mailto:dbabbitt@nampalibrary.org)

Leonard Hitchcock  
Idaho State University  
(p) 208-282-3100; [hitleon@isu.edu](mailto:hitleon@isu.edu)

Harriet Newlin  
American Falls District Library  
(p) 208-226-2335; [amlibrary@cableone.net](mailto:amlibrary@cableone.net)

Robert Wright  
Idaho Falls Public Library  
(p) 208-529-1450; [libdirector@ifpl.org](mailto:libdirector@ifpl.org)

# ILA Intellectual Freedom Committee Incident Report and Request Form

*Information provided on this form will be kept confidential.*

## Type of Material

1. Book \_\_\_ 2. Periodical \_\_\_ 3. Audio/Visual \_\_\_ 4. Library Program \_\_\_

5. Exhibit/Display \_\_\_ 6. Web \_\_\_ 7. Electronic Resource \_\_\_

8. Other (please specify) \_\_\_\_\_

Title \_\_\_\_\_

Author \_\_\_\_\_

Web site \_\_\_\_\_

Age level of material/service: 1. Adult \_\_\_ 2. YA \_\_\_ 3. Children's \_\_\_

## Type of Library

1. Public \_\_\_ 2. Academic \_\_\_ 3. School \_\_\_ 4. Special \_\_\_

Library Name \_\_\_\_\_

## Challenge Information

Who initiated the challenge: 1. Individual \_\_\_ 2. Group \_\_\_

Date of incident \_\_\_\_\_

Describe the basis of the challenge: (Attach additional sheets if necessary)

---

---

---

Action taken to date: (Attach additional sheets if necessary)

---

---

Does your library have: (If yes, please attach)

A written material selection policy? Yes \_\_\_ No \_\_\_

A written material challenge procedure? Yes \_\_\_ No \_\_\_

A written policy on confidentiality of library records? Yes \_\_\_ No \_\_\_

An Internet use policy? Yes \_\_\_ No \_\_\_

Have the procedures been followed? Yes \_\_\_ No \_\_\_

Do you wish assistance from ILA? Yes \_\_\_ No \_\_\_

If yes, please provide the following:

Contact Person \_\_\_\_\_

Title \_\_\_\_\_

Tel. No.: ( ) \_\_\_\_\_

Email Address \_\_\_\_\_

May ILA forward this information to the American Library Association's Office for Intellectual Freedom?

Yes \_\_\_ No \_\_\_

**Return this form to: Michael Greenlee, University of Idaho Law Library, PO Box 442324, Moscow, ID 83844-2324. Fax 208-885-2743. Phone 208-885-2161.**

## Patron Privacy & Confidentiality

Privacy is the core principle of intellectual freedom. The ILA supports and encourages the expectation that library patrons should be able to engage in open inquiry without having the subject of his/her interest examined or scrutinized by others. Only when patrons are assured that their choice of reading material will not subject them to reprisals or punishments can they fully enjoy the freedom to explore ideas, weigh arguments, and decide for themselves what they believe. To support this practice, library staff should only intrude upon a patron's use of the library to the extent necessary to provide adequate assistance.

Closely related to privacy is the principle of confidentiality. Confidentiality exists when a library possesses personally identifiable information about library users and keeps that information private on their behalf. This information includes circulation records, database search records, reference interviews, interlibrary loan records, and other personally identifiable uses of library materials, facilities, or services.

Although privacy is an ethical principle adhered to by the ILA, confidentiality is, in most states, a legal duty imposed on librarians. Currently, forty-seven states and the District of Columbia have laws that provide for the confidentiality of library records. Idaho Code § 9-340E reads, in part, "The records of a library which, when examined alone, or when examined with other public records, would reveal the identity of the patron checking out, requesting, or using an item from a library," are exempt from disclosure (unless requested by a court order).

Not only do libraries pledge to keep patron records confidential; they seek to minimize the number of records that they possess. Libraries only retain patron information that is necessary for normal functions (such as book circulation), and destroy that information as soon as it is no longer needed.

Questions concerning privacy and confidentiality can be complicated and could have serious consequences. Therefore, when creating a confidentiality policy libraries should be sure to seek the advice of legal counsel to ensure that the policy conforms to all legal requirements.

In general, privacy/confidentiality policies should contain the following sections:

**Objective:** Who or what is to be protected? From whom or what? Why is the policy necessary?

**Responsibility:** Who is responsible for implementing the policy? Who will enforce it? Who has a right to know? A need to know?

**Criteria:** Which information will be protected? How will this be determined?

**Procedures:** What steps are to be taken by staff in identifying situations where the policy applies? How will the policy be implemented in response to such situations? How will the policy be adopted, amended, repealed? How will staff be trained? What provisions will there be for making the policy known to patrons and the public at large?

**Circumstances,** if any, under which records will be released.

See pages 293-318 of the *ALA Intellectual Freedom Manual, 7<sup>th</sup> ed.*, for more information on developing a confidentiality policy.

## Confidentiality and Coping with Law Enforcement Requests

(adapted from the official ALA version available on the [ALA web site](#))

Increased visits to libraries by law enforcement agents, including FBI agents and officers of state, county, and municipal police departments, are raising considerable concern among the public and the library community. These visits are not only a result of the increased surveillance and investigation prompted by the events of September 11, 2001, and the subsequent passage of the USA PATRIOT Act, but also as a result of law enforcement officers investigating computer crimes, including e-mail threats and possible violations of the laws addressing online obscenity and child pornography.

These guidelines, developed to assist libraries and library staff in dealing with law enforcement inquiries, rely upon the ALA's policies and guidelines:

- Privacy: An Interpretation of the Library Bill of Rights;
- Questions and Answers on Privacy and Confidentiality;
- Policy on Confidentiality of Library Records;
- Suggested Procedures for Implementing Policy on Confidentiality of Library Records;
- Policy Concerning Confidentiality of Personally Identifiable Information about Library Users;
- Code of Ethics.

### Fundamental Principles

Librarians' professional ethics require that personally identifiable information about library users be kept confidential. This principle is reflected in Article III of the Code of Ethics, which states that "[librarians] protect each library user's right to privacy and confidentiality with respect to information sought or received, and resources consulted, borrowed, acquired, or transmitted." Privacy: An Interpretation of the Library Bill of Rights, notes that "[p]rotecting user privacy and confidentiality has long been an integral part of the mission of libraries."

Currently, 48 states and the District of Columbia have laws protecting the confidentiality of library records, and the Attorneys General of the remaining two states, Hawaii and Kentucky, have ruled that library records are confidential and may not be disclosed under the laws governing open records. Confidential library records should not be released or made available in any format to a federal agent, law enforcement officer, or other person unless a court order in proper form has been entered by a court of competent jurisdiction after a showing of good cause by the law enforcement agency or person seeking the records.

### General Guidelines

Confidentiality of library records is a basic principle of librarianship. As a matter of policy or procedure, the library administrator should ensure that:

- The library staff and governing board are familiar with the ALA Policy on Confidentiality of Library Records, the Policy Concerning Confidentiality of Personally Identifiable Information about Library Users, and other ALA documents on users' privacy and confidentiality.
- The library staff and governing board are familiar with their state's library confidentiality statute or attorney general's opinion.
- The library adopts a policy on users' privacy and confidentiality. Such policies should inform users about their expectation of privacy and how the library handles their confidential information.
- The library adopts staff policies that inform the staff and board about the procedures to follow if the library is served with judicial process (search warrants or subpoenas) seeking library records or if law enforcement agents conduct inquiries in the library.
- The library staff is familiar with the library's policy on confidentiality and its procedures for handling court orders and law enforcement inquiries.

### Library Procedures Affect Confidentiality

Law enforcement visits aside, be aware that library operating procedures have an impact on confidentiality. The following recommendations are suggestions to bring library procedures into compliance with most state confidentiality statutes, ALA policies on confidentiality and its *Code of Ethics*:

- Avoid creating unnecessary records. Only record a user's personally identifiable information when necessary for the efficient operation of the library.
- Avoid retaining records that are not needed for efficient operation of the library. Check with your local governing body to learn if there are laws or policies addressing record retention and in conformity with these laws or policies, develop policies on the length of time necessary to retain a record. Ensure that all kinds and types of records are covered by the policy, including data-related logs, digital records, and system backups.
- Once record retention policies are in place, ensure that records are destroyed or archived on schedule. A library cannot destroy records after it receives notice from law enforcement agents that the records may be subject to judicial process.
- Be aware of library practices and procedures that place information on public view. Some examples are the use of postcards for overdue notices or requested materials; staff terminals placed so that the screens can be read by the public; sign-in sheets to use computers or other devices; and the provision of titles of reserve requests or interlibrary loans provided over the telephone to users' family members or answering machines.
- Remember that there is no affirmative duty to collect or retain information about library patrons on behalf of law enforcement.

## Recommended Procedures for Law Enforcement Visits

### Before any visit:

- Designate the person or persons who will be responsible for handling law enforcement requests. In most circumstances, it should be the library director, and, if available, the library's legal counsel.
- Review the library's confidentiality policy and state confidentiality law with library counsel. Communicate those policies and the requirements of the law to both staff and volunteer workers in the library.
- Train all library staff, *including volunteers*, on the library's procedure for handling law enforcement requests. They should understand that it is lawful to refer the agent or officer to an administrator in charge of the library, and that they do not need to respond immediately to any request.
- A court order may require the removal of a computer workstation or other computer storage device from the library. Have plans in place to address service interruptions and any necessary backups for equipment and software.

### During the visit:

- Staff should immediately ask for identification if they are approached by an agent or law enforcement officer, and then record the information. If possible, verify the information with the local FBI office or the police department. The agent or officer should then be immediately referred to the library director or the designated supervisor.
- The director or supervisor should meet with the agent with another colleague in attendance. If possible, one person should take notes if a record of the encounter is needed in the future.
- If the agent or officer does not have a court order compelling the production of records, the library director 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 in good form has been presented to the library.
- Without a court order, neither the FBI nor 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. If the agent or officer persists, or makes an appeal to patriotism, the library director 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.
- If the agent or officer presents a search warrant or other judicial process, the library director should immediately call the library's counsel and ask for assistance.

If the judicial process is in the form of a subpoena:

- Remember that a subpoena does not require an immediate response from the library. Thank the officer serving the subpoena and inform him or her that the library will respond to the subpoena within the time allotted and in conformity with the law. Immediately refer the subpoena to the library's legal counsel.
- Counsel should examine the subpoena for any legal defect, including the manner in which it was served on the library, the breadth of its request, its form, or an insufficient showing of good cause made to a court. If a defect exists, counsel will advise on the best method to resist the subpoena.
- Through legal counsel, insist that any defect be cured before records are released and that the subpoena is strictly limited to require release of specifically identified records or documents. If there does not appear to be good cause for the subpoena, or if it seems too broad or intrusive, ask your attorney to file a motion to quash the subpoena in its entirety.
- Require that the agent, officer, or party requesting the information submit a new subpoena in good form and without defects.
- If you decide to comply with the subpoena after consulting with legal counsel, review the information that may be produced in response to the subpoena before releasing the information. Follow the subpoena strictly and do not provide any information that is not specifically requested in it.
- If disclosure is required, ask the court to enter a protective order (drafted by the library's counsel) keeping the information confidential and limiting its use to the particular case. Ask that access be restricted to those persons working directly on the case.

If the court order is in the form of a search warrant:

- Unlike a subpoena, a search warrant may be executed immediately. The agent or officer may begin a search of library records as soon as the library is served with the court's order.
- Ask to have library counsel present before the search begins in order to allow library counsel an opportunity to examine the search warrant and to ensure that the search conforms to the terms of the search warrant.
- If the officer refuses to delay the search, examine the warrant. Ensure that the warrant has been issued by a local or federal court in your state and is current and not expired. If you question the validity of the warrant, call the issuing court to confirm the validity of the warrant.
- The warrant will include information that identifies the premises to be searched and the items or records to be produced under the warrant. Ask that the officer observe the boundaries set by the search warrant.
- Cooperate with the search to ensure that only the records identified in the warrant are produced and that no other users' records are viewed or scanned. Staff should be trained not to discuss the warrant with the officer, identify any documents, or to volunteer information without first consulting with the library's counsel.

- Record and keep an inventory of the records or items seized from the library. If possible, keep the originals and provide the agent with copies (or make copies for the library's reference).
- While most law enforcement officers will cooperate with a library's request to allow counsel to examine the warrant, it is possible that an officer will refuse to delay his or her search. Train staff to step aside and not to interfere with the officer in those cases. They should continue their attempt to notify the library director and library counsel, and make every effort to keep a record of the incident.

If the court order is a search warrant issued under the Foreign Intelligence Surveillance Act (FISA) (USA PATRIOT Act amendment):

- The recommendations for a regular search warrant still apply. However, a search warrant issued by a FISA court also contains a “gag order.” That means that no person or institution served with the warrant can disclose that the warrant has been served or that records have been produced pursuant to the warrant.
- The library and its staff must comply with this order. No information can be disclosed to any other party, including the patron whose records are the subject of the search warrant. Note that the FISA gag order permits the person receiving the FISA warrant to inform the library director and those members of the staff who are needed to produce the records.
- The gag order does not change a library's right to legal representation during the search. The library can still seek legal advice concerning the warrant and request that the library's legal counsel be present during the actual search and execution of the warrant.
- If the library does not have legal counsel and wishes legal advice, the library can still obtain legal assistance through the Freedom to Read Foundation's legal counsel. Simply call the Office for Intellectual Freedom (800-545-2433, ext. 4223) and inform the staff that you need legal advice. OIF staff will ensure that an attorney returns your call. You do not have to and should not inform OIF staff of the existence of the warrant.

After the visit:

- Review the subpoena or search warrant with library counsel to ensure that the library complies with any remaining requirements, including restrictions on sharing information with others.
- Review library policies and staff response and make any necessary revisions in light of experience.
- Be prepared to communicate with the news media. Designate one person who will be responsible for communicating with the media. Develop a public information statement detailing the principles upholding library confidentiality that includes an explanation of the chilling effect on First Amendment rights caused by public access to users' personally identifiable information, and share it with your staff, so

they are able to communicate the library's message to their acquaintances and neighbors in the community.

- If possible, notify the ALA about your experience by calling the Office for Intellectual Freedom at 800-545-2433, extension 4223.

American Library Association  
Office for Intellectual Freedom  
April 2005

## Censorship

Libraries play an important role in a democratic society by acting as open and non-judgmental institutions where individuals can pursue their own interests. The importance of this role should not be underestimated. The first amendment to the United States Constitution guarantees freedom of speech and courts have long recognized that this guarantee includes the right to receive information. Through such documents as the *Library Bill of Rights* and the *Freedom to Read Statement*, the American Library Association has demonstrated its firm commitment to upholding the principles of intellectual freedom and promoting free and open access to information.

However, by providing open access to a wide spectrum of ideas and materials, some of which may be considered as controversial, inappropriate, or dangerous, libraries also find themselves as frequent targets of censorship. Censorship comes in many forms. The stereotypical example is of an enraged patron demanding the removal of a specific book because it poses a threat to the morals of society. But this is not the only and, perhaps, not the most common example. Censorship can come from within a library just as easily as from without. For instance, decisions to refrain from buying, or to label controversial materials, or to place controversial Young Adult materials in the Adult collection can also amount to censorship. In a nutshell, censorship occurs when *any* person or group assumes the responsibility to determine what is inappropriate reading material for everyone else and seeks to limit access to that material.

Every library should have basic intellectual freedom policies and procedures in place for handling a censorship challenge. At a minimum, this includes having a well-drafted materials selection policy and a procedure for the review of challenged materials. The following sections on “Preparing for a Challenge,” “Developing a Materials Selection Policy,” “Handling a Censorship Challenge,” and the sample “Request for Reconsideration of Library Materials” provide more information for drafting these policies.

Library patrons have the right to question library decisions and library staff must be willing to listen to challenges and explain the library’s policies and the reasons behind them. Although censorship challenges can be difficult and emotionally draining they are an inevitable consequence of a library’s commitment to providing free and open access to information. During a censorship challenge, library staff should take advantage of the opportunity to educate the community about the principles and benefits of intellectual freedom and the dangers of censorship.

A more detailed discussion of censorship and preparing for a censorship challenge can be found in the *ALA Intellectual Freedom Manual*, 7<sup>th</sup> ed, pages. 417-448.

*Remember: “A truly great library has something in it to offend everyone.”*  
- Jo Godwin

## Preparing for a Challenge

Challenges to library materials can be handled most effectively if your library prepares materials and procedures before a challenge occurs. Use the following checklist to determine your library's level of preparedness.

### **Do You Have:**

- A written library mission statement?
- A written materials selection policy?
- Written policies covering Internet use; programs, exhibits, and meeting rooms; access to library materials and services; patron confidentiality; and acceptable user behavior and library usage?
- Written procedures covering how to handle concerns and requests for reconsideration of library materials?

### **Do You Provide:**

- Regular training for your staff, volunteers, and trustees on the principles of intellectual freedom?
- Regular training for your staff and volunteers in public service on how to handle complaints concerning library materials or services?
- Library patrons with information concerning basic library services and how the practice of intellectual freedom benefits the community?

### **Other Considerations:**

- Do you know local, state, and federal laws affecting intellectual freedom?
- Do you know local, state, and federal intellectual freedom organizations that can be contacted for assistance or information?
- Do you maintain lines of communication with local media, civic, religious, political, and educational bodies in the community?
- Do you know which of your state legislators are advocates of libraries and intellectual freedom?

## Developing a Materials Selection Policy

To strengthen its collection development process and to provide an objective basis for the evaluation of that process, every library should have a materials selection policy. A written materials selection policy is essential to have on hand when library materials are challenged in order to show where the challenged material fits within the library collection. The policy should be based on the needs of the library's users and in conformity with the Library Bill of Rights.

A Materials Selection Policy should include these basic elements :

1. The library's mission and goals, including a statement of the role of the library in the community.
2. General selection principles and procedures, including designation of staff responsible for collection development, the procedures used to select the materials, and criteria used for selection.
3. Special principles and procedures to deal with distinctive types of material (videos, audiocassettes, software, etc.), materials for particular groups (children, the visually impaired, etc.) and special collections (local history, etc.).
4. Principles and procedures dealing with acceptable use of the Internet and any filtering policies.
5. Principles and procedures covering gifts, including requests for appraisals and disposal of unwanted donations.
6. Principles and procedures for weeding and inventories.
7. The text of the Library Bill of Rights. Many selection policies also include the Freedom to Read Statement.
8. Complaint and reconsideration procedures, including a step-by-step list of the reconsideration process and a copy of the library's Complaint or Reconsideration Form.

See pages 417-420 of the *ALA Intellectual Freedom Manual, 7<sup>th</sup> ed*, for more information on developing a materials selection policy.

## Handling a Censorship Challenge

Despite having your policies and procedures in place, handling a patron complaint can still be a challenging situation. Use the following guidelines to help resolve these situations as quickly, and fairly, as possible.

1. Most importantly, follow the procedure for handling patron complaints that has been approved by your library.
2. Remain courteous and professional. Try to give an informed response. Keep a detailed written account.
3. Try to resolve the complaint informally at the point of contact without committing the library to a specific course of action. The patron may simply want to blow off steam about what they consider to be inappropriate library material.
4. Respect the sincerity of the patron's concerns. Don't be argumentative.
5. If the patron insists on lodging a formal complaint, refer the patron to the designated librarian or staff member to handle such problems.
6. Explain the library's policies concerning collection development, materials selection, and the reconsideration process, including how to appeal the library's decision.
7. Provide a reconsideration form and explain the procedure and time frame for dealing with complaints.
8. Notify the administration / director / board of trustees as soon as possible.
9. Do not remove the challenged material from its normal location during the challenge process.
10. If the challenge becomes a public issue, designate one spokesperson to inform, respond to, and update the local media.
11. Seek help from local and national organizations, colleagues, Friends groups, etc.
12. Respond to negative pressure with positive pressure. A censorship challenge can be a great opportunity to educate the community about the principles and benefits of intellectual freedom!
13. Review what happened. What did you do well? Where do you need to improve?

See pages 429-448 of the *ALA Intellectual Freedom Manual, 7<sup>th</sup> ed*, for more information on handling complaints and conducting a challenge hearing.

## \*Request for Reconsideration of Library Materials

Date \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

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

Phone \_\_\_\_\_

Do you represent Yourself \_\_\_\_\_ Organization \_\_\_\_\_

### 1) Library Material(s) Concerned

Book  Magazine  Video/DVD  Audio Recording

Display  Electronic Database/Web site  Other \_\_\_\_\_

Title \_\_\_\_\_

Author/Producer \_\_\_\_\_

Web Address \_\_\_\_\_

2) Did you read, view, or listen to the entire work?  Yes  No

3) What brought this material to your attention?

\_\_\_\_\_

\_\_\_\_\_

4) What concerns you about this material? (Attach additional pages if necessary)

\_\_\_\_\_

\_\_\_\_\_

5) Are there any other resources you could suggest to provide additional information or other viewpoints on the same topic?

\_\_\_\_\_

\_\_\_\_\_

6) What would you like the Review Committee to do with this material?

\_\_\_\_\_

\_\_\_\_\_

**\*Anonymous Requests for Reconsideration will not be reviewed. You must provide your name, address, and phone number.**

## 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.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

---

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

## Interpretations of the Library Bill of Rights

The ALA Council has adopted a number of interpretations of the *Library Bill of Rights*, applying the Library Bill of Rights to specific library practices. These interpretations are available on the [ALA web site](#).

Access for Children and Young Adults to Nonprint Materials

Access to Electronic Information, Services, and Networks

Q&A: Access to Electronic Information, Services, and Networks

Access to Library Resources and Services Regardless of Sex, Gender Identity, or Sexual Orientation

Access to Resources and Services in the School Library Media Program

Challenged Materials

Diversity in Collection Development

Economic Barriers to Information Access

Evaluating Library Collections

Exhibit Spaces and Bulletin Boards

Expurgation of Library Materials

Free Access to Libraries for Minors

Intellectual Freedom Principles for Academic Libraries

Labels and Rating Systems

Questions & Answers on Labels and Rating Systems

Library-Initiated Programs as a Resource

Meeting Rooms

Privacy

Questions & Answers on Privacy and Confidentiality

Restricted Access to Library Materials

The Universal Right to Free Expression

## 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 counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals 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 individual, by exercising critical judgment, will select the good and reject the bad. 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 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 or unwelcome scrutiny by government officials.

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, unpopular, or considered dangerous by 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 the prejudgment of a label characterizing any expression 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 others. 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; and by the government whenever it seeks to reduce or deny public access to public information.*

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. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

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 Americans 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, by the ALA Council and the AAP Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.

*A Joint Statement by:*

[American Library Association](#)  
[Association of American Publishers](#)

*Subsequently endorsed by:*

[American Booksellers Foundation for Free Expression](#)  
[The Association of American University Presses, Inc.](#)  
[The Children's Book Council](#)  
[Freedom to Read Foundation](#)  
[National Association of College Stores](#)  
[National Coalition Against Censorship](#)  
[National Council of Teachers of English](#)  
[The Thomas Jefferson Center for the Protection of Free Expression](#)

# Intellectual Freedom Resources and Organizations

## Organizations for Assistance

### **Idaho Library Association, Intellectual Freedom Committee**

<http://www.idaholibraries.org/divisions/if/index.htm>

Contact members of the Intellectual Freedom Committee for information and assistance or to report instances of censorship.

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

50 East Huron Street, Chicago, IL 60611, 800-545-2433

[www.ala.org/oif](http://www.ala.org/oif)

### **American Civil Liberties Union**

125 Broad Street, New York, NY 10004, 212-344-3005

[www.aclu.org](http://www.aclu.org)

### **American Civil Liberties Union of Idaho**

P.O. Box 1897, Boise, ID 83701, 208-344-5243

[www.acluidaho.org](http://www.acluidaho.org)

### **Freedom to Read Foundation**

[www.ftrf.org](http://www.ftrf.org)

Provides aid to libraries defending intellectual freedom or freedom of speech either through the distribution of grants to help pay litigation costs or by directly participating in litigation.

### **LeRoy C. Merritt Foundation Fund**

50 East Huron Street, Chicago, IL 60611, 800-545-2433

[www.merrittfund.org](http://www.merrittfund.org)

An ALA fund that helps librarians who are denied employment rights based on discrimination or because of defense of intellectual freedom.

## Organizations for Information

### **Center for Democracy and Technology**

Find information on free speech, government surveillance, data privacy, copyright and other topics concerning free expression and privacy in the digital age.

[www.cdt.org](http://www.cdt.org)

### **Electronic Frontier Foundation**

Seeks to educate the press, policymakers, and the public about civil liberties issues related to technology. Includes information on censorship, USA PATRIOT Act, privacy, surveillance, filtering and much more.

[www.eff.org](http://www.eff.org)

### **First Amendment Center**

Provides news, analysis and commentary on topics related to the five freedoms of the First Amendment: speech, press, religion, assembly, and petition. Special section devoted to libraries and the first amendment.

[www.firstamendmentcenter.org](http://www.firstamendmentcenter.org)

### **National Coalition Against Censorship**

Works to educate the public about the dangers of censorship and how to oppose them. NCAC tracks censorship issues around the country. Publishes an online quarterly newsletter, "Censorship News."

[www.ncac.org](http://www.ncac.org)

### **Publications**

*Intellectual Freedom Manual*, 7<sup>th</sup> ed. Chicago: American Library Association, Office for Intellectual Freedom, 2006.

Jones, Barbara M., *Libraries, Access, and Intellectual Freedom: Developing policies for public and academic libraries*. Chicago: American Library Association, 1999.

Oboler, Eli M., *Defending Intellectual Freedom: the library and the censor*. Westport, Conn.: Greenwood Press, 1980.

Peck, Robert S., *Libraries, the First Amendment, and Cyberspace: What you need to know*. Chicago: American Library Association, 2000.

Reichman, Henry, *Censorship and Selection: Issues and answers for schools*, 3<sup>rd</sup> ed. Chicago: American Library Association, 2001.