

**ALA Intellectual Freedom Committee
Report to Council
2010 Annual Conference
Washington, DC
Tuesday, June 29, 2010**

The ALA Intellectual Freedom Committee (IFC) is pleased to present this update of its activities.

INFORMATION

Intellectual Freedom Manual, Eighth Edition

The newly revised and updated eighth edition of the *Intellectual Freedom Manual* made its debut at the ALA Store here in Washington, D.C. A convenient reference guide for librarians and library trustees addressing intellectual freedom and privacy issues in their libraries, the eighth edition of the Manual includes up-to-date legal information on censorship, minors' rights, and the USA PATRIOT Act; three new Interpretations of *the Library Bill of Rights*; revisions to ten existing Interpretations of the *Library Bill of Rights*; and major policy documents addressing privacy and professional ethics.

A website to supplement and update the print edition of the *Intellectual Freedom Manual* also debuted during Annual Conference. Online at www.ifmanual.org, the new site provides access to new policies and policy revisions as well as expanded online resources for academic and school librarians.

If you were unable to purchase the Manual in the ALA Store here in Washington, you may purchase it at the ALA Store Online at www.alastore.ala.org (search for *Intellectual Freedom Manual*).

Emerging Leaders and Libraries & the Internet Toolkit

During its Spring Meeting, the Intellectual Freedom Committee worked with 2010 Emerging Leaders Eileen Bosch, Toni Dean, Amanda Robillard, Mara Degnan-Rojeski, and Yen Tran to revise the “Libraries & the Internet Toolkit: Tips and Guidance for Managing and Communicating about the Internet.” The Emerging Leaders presented an updated draft of the document during their poster session on Saturday, June 28. They will continue to work with the Committee to update and maintain this important document. The final version of the document can be seen online at www.ifmanual.org/litoolkit.

Protecting Cyberspace as a National Asset Act

Senator Lieberman and other members of Congress have introduced legislation that would make the Department of Homeland Security responsible for protecting civilian information and telecommunication networks in the government and private sector whenever the President declares a national cyber emergency. The bill, entitled the “Protecting Cyberspace as a National Asset Act,” S. 3480, is intended to better define the President's authority in these matters and to update existing laws intended to protect critical network infrastructure during national emergencies. Contrary to some news reports, the bill does not authorize a “kill switch,” nor does it put the National Security Agency or the Department of Defense in charge of cyber security operations applicable to civilian government or privately held critical infrastructure.

Changes are needed, however, to ensure that cyber security measures do not infringe on free speech, privacy, and other civil liberties interests. It is imperative that cyber security legislation not erode our rights.

The Washington Office and the Office for Intellectual Freedom have already begun to take action to ensure that free speech and privacy rights are preserved and that the government's activity concerning cyber security remains transparent to the public. They have joined a coalition of privacy, civil liberties, and civil rights groups to urge the necessary changes to this legislation. This coalition sent a letter expressing its concerns to Senator Lieberman on June 23, which is attached to the report as Exhibit I.

As a result of our letter and the work of other concerned organizations and individuals, the Senate committee responsible for this bill met on June 24 and made significant changes to the legislation that represents the first steps to resolving the civil liberties issues posed by the “Protecting Cyberspace as a National Asset Act.” Both offices will continue to work with the coalition to ensure that this bill conforms with established ALA policies concerning free speech, privacy, and government surveillance.

Alliance Defense Fund Letters on Meeting Room Policies

The Alliance Defense Fund (ADF), a Christian legal organization, has initiated a letter-writing campaign to libraries and schools around the country. The campaign targets libraries meeting room policies that restrict the use of the library's meeting rooms for religious services. In its letter, ADF advises libraries receiving the letter that it believes the library's meeting room policy is unconstitutional and that ADF will initiate legal action if the library does not change its policy.

The Office for Intellectual Freedom (OIF) has been providing librarians and library trustees with with answers to their questions about meeting room policies and the ADF's letter including copies of model meeting room policies, information about court opinions addressing library meeting room policies, and advice on reviewing and revising meeting room policies in light of recommended best practices.

Librarians and library trustees who wish to speak to OIF about their meeting room policies and/or the ADF letter should call or write Deborah Caldwell-Stone, OIF's Deputy Director. She can be reached at 800-545-2433 x4224, or dstone@ala.org.

For more information on religion and public libraries, please consult “Religion in American Libraries, a Q&A,” a new document by the ALA Intellectual Freedom Committee. The Q&A can be found online at www.ifmanual.org/religionqa.

PROJECTS

Choose Privacy Week

A film featuring Neil Gaiman, Cory Doctorow, Geoffrey Stone, and ALA President Camila Alire discussing some of today's most interesting and complex privacy issues provided the cornerstone for the first-ever Choose Privacy Week, held May 2-8, 2010. Bloggers and others across the web promoted the video, which has been viewed over 14,000 times since its debut on May 2. Choose Privacy Week events took place in Florida, Indiana, Massachusetts, Maine, Missouri, New Hampshire, Ohio, Pennsylvania, Rhode Island, Vermont, and Virginia. Over 160 persons attended an Association of College and Research Libraries (ACRL) online Choose Privacy Week event, and 44 librarians participated in an online workshop on learning how to host community forums on privacy. Over 50 libraries blogged about Choose Privacy Week, and BoingBoing, Unshelved, LISNews, and CILIP were among the blogs and online news sites that highlighted Choose Privacy Week.

Organizing for Choose Privacy Week 2011 is now underway. Plans include the release of the Privacy video on DVD for schools and libraries, expanded programming for children and youth, and strengthened alliances with our privacy partners, including the Center for Democracy and Technology, the Electronic Frontier Foundation, the American Civil Liberties Union, and the Campaign for Reader Privacy.

The dates for next year's Choose Privacy Week will be May 1-7, 2011.

For more information on ALA's privacy initiative and Choose Privacy Week, and to view the Privacy Week video, please visit www.privacyrevolution.org.

Banned Books Week

2010 marks the 29th annual celebration of Banned Books Week, which will be held September 25 through October 2.

New to this year is the 2010 edition of the *Banned Books: Challenging Our Freedom to Read*, by Robert P. Doyle. The book has been revamped significantly and provides a framework for understanding censorship and the protections guaranteed to us through the First Amendment. In addition to the lists of books banned or challenged throughout the ages, the book includes interpretations of the uniquely American notion of freedom of expression, supplemented by straightforward, easily accessible information that will inspire further exploration.

“Think for Yourself and Let Others Do the Same” is the slogan for this year’s campaign. Banned Books Week promotional merchandise such as t-shirts, buttons, and bookmarks featuring this slogan is available for purchase through the ALA Store online at www.alastore.ala.org.

For the fourth year in a row, the Office for Intellectual Freedom and the McCormick Freedom Project will host a Read-Out! to kick off Banned Books Week on Saturday, September 25, 2010. This year's Read-Out! will feature authors of the top ten most frequently challenged books of 2009. Stephen Chbosky, author of *The Perks of Being a Wallflower*; Carolyn Macker, author of *The Earth, My Butt, and Other Big Round Things*; Lauren Myracle, author of *ttyl*, *ttyn*, and *l8r g8r* (Internet Girl Series); and Justin Richardson and Peter Parnell, authors of *And Tango Makes Three*, will talk about their experiences as targets of censorship and will read from their works. Chris Crutcher, author of *Whale Talk*, *Athletic Shorts*, *Staying Fat for Sarah Byrnes*, among other highly acclaimed novels, will emcee the event.

More information about Banned Books Week can be found at www.ala.org/bbooks.

Online Trainings

In February, 2010, OIF partnered with the Association of Library Trustees, Advocates, Friends and Foundations to present three, one-hour webinars entitled, "Controversial Materials in the Library: Supporting Intellectual Freedom in Your Community." Angela Maycock, OIF Assistant Director, led the webinar series and presented to 51 attendees. Feedback was very positive and OIF will be looking more closely at future webinars and online learning opportunities after conference. Our priorities include:

- Producing an archived version of the ALTAFF webinar, for those trustees interested in attending but unable to participate at the times offered;
- Creating a webinar addressing meeting room policies, particularly in light of recent ADF letters sent to many libraries around the country;
- Creating an online option for the Law for Librarians workshop;
- Other topics and online opportunities as appropriate.

ACTION

Prisoners' Right to Read

Although ALA Editions recently published the eighth edition of the *Intellectual Freedom Manual*, the IFC has already begun work on the ninth edition. During its Spring Meeting, the Committee drafted "Prisoners' Right to Read: An Interpretation to the Library Bill of Rights." The new Interpretation was e-mailed on March 31, 2010, to the ALA Executive Board, Council, Divisions, Council committees, Round Tables, and Chapter Relations requesting comments and feedback on the Interpretation. The IFC carefully considered all comments received both prior to and during the 2010 Annual Conference and now is moving adoption of this new policy:

- "Prisoners' Right to Read"; the IFC moves the adoption of its revisions to this policy, CD #19.5;
-

In closing, the Intellectual Freedom Committee thanks the Division and Chapter Intellectual Freedom Committees, the Intellectual Freedom Round Table, the unit and affiliate liaisons, and the OIF staff for their commitment, assistance, and hard work.

Respectfully Submitted,
ALA Intellectual Freedom Committee
Martin Garnar (Chair)
Helen Ruth Adams
J. Douglas Archer
Rosanne Cordell
Loida Garcia-Febo
Carrie Gardner

Terri G. Kirk
Bowie Kotrla
Trina Magi
Barbara K. Stripling
Jerilynn Williams
M. Teresa Doherty (intern)

Prisoners' Right to Read

An Interpretation of the *Library Bill of Rights*

The American Library Association asserts a compelling public interest in the preservation of intellectual freedom for individuals of any age held in jails, prisons, detention facilities, juvenile facilities, immigration facilities, prison work camps and segregated units within any facility. As Supreme Court Justice Thurgood Marshall wrote in *Procunier v Martinez* [416 US 428 (1974)]:

When the prison gates slam behind an inmate, he does not lose his human quality; his mind does not become closed to ideas; his intellect does not cease to feed on a free and open interchange of opinions; his yearning for self-respect does not end; nor is his quest for self-realization concluded. If anything, the needs for identity and self-respect are more compelling in the dehumanizing prison environment.

Participation in a democratic society requires unfettered access to current social, political, economic, cultural, scientific, and religious information. Information and ideas available outside the prison are essential to prisoners for a successful transition to freedom. Learning to be free requires access to a wide range of knowledge, and suppression of ideas does not prepare the incarcerated of any age for life in a free society. Even those individuals that a lawful society chooses to imprison permanently deserve access to information, to literature, and to a window on the world.

Censorship is a process of exclusion by which authority rejects specific points of view. That material contains unpopular views or even repugnant content does not provide justification for censorship. Unlike censorship, selection is a process of inclusion that involves the search for materials, regardless of format, that represent diversity and a broad spectrum of ideas. The correctional library collection should reflect the needs of its community.

Libraries and librarians serving individuals in correctional facilities may be required by federal, state, or local laws; administrative rules of parent agencies; or court decisions to prohibit material that instructs, incites, or advocates criminal action or bodily harm or is a violation of the law. Only those items that present an actual compelling and imminent risk to safety and security should be restricted. Although these limits restrict the range of material available, the extent of limitation should be minimized by adherence to the *Library Bill of Rights* and its Interpretations.

These principles should guide all library services provided to prisoners:

- Collection management should be governed by written policy, mutually agreed upon by librarians and correctional agency administrators, in accordance with the *Library Bill of Rights*, its Interpretations, and other ALA intellectual freedom documents.
- Correctional libraries should have written procedures for addressing challenges to library materials, including a policy-based description of the disqualifying features, in

accordance with “Challenged Materials” and other relevant intellectual freedom documents.

- Correctional librarians should select materials that reflect the demographic composition, information needs, interests, and diverse cultural values of the confined communities they serve.
- Correctional librarians should be allowed to purchase materials that meet written selection criteria and provide for the multi-faceted needs of their populations without prior correctional agency review. They should be allowed to acquire materials from a wide range of sources in order to ensure a broad and diverse collection. Correctional librarians should not be limited to purchasing from a list of approved materials.
- Age is not a reason for censorship. Incarcerated children and youth should have access to a wide range of fiction and nonfiction, as stated in “Free Access to Libraries for Minors.”
- Correctional librarians should make all reasonable efforts to provide sufficient materials to meet the information and recreational needs of prisoners who speak languages other than English.
- Equitable access to information should be provided for persons with disabilities as outlined in “Services to People with Disabilities.”
- Media or materials with non-traditional bindings should not be prohibited unless they present an actual compelling and imminent risk to safety and security.
- Material with sexual content should not be banned unless it violates state and federal law.
- Correctional libraries should provide access to computers and the Internet.

When free people, through judicial procedure, segregate some of their own, they incur the responsibility to provide humane treatment and essential rights. Among these is the right to read. The right to choose what to read is deeply important, and the suppression of ideas is fatal to a democratic society. The denial of the right to read, to write, and to think—to intellectual freedom—diminishes the human spirit of those segregated from society. Those who cherish their full freedom and rights should work to guarantee that the right to intellectual freedom is extended to all incarcerated individuals.