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# Orland Park mayor enters library porn dispute

## Letter asks board to 'consider filters on all computers'

November 17, 2013|By Taylor W. Anderson, Chicago Tribune reporter

Orland Park Public Library board president Nancy Healy says she may be in favor of a new Internet policy that could limit patrons' access to pornography on adult computers.

"There are options open to us mirroring local libraries — none of whom have filters, but who may make a statement that pornography is forbidden," Healy said.

Her comments Friday, which came three days after Orland Park Mayor Dan McLaughlin sent Healy a letter asking her to change the library's Internet policy, were the first indication the library board might do so.

The library allows adult computer users to view anything legal in the adult computer section of the library, including pornography.

"I am aware that some computers have those filters but would it not be reasonable to consider filters on all computers?" he wrote.

McLaughlin's Nov. 11 letter cited a 2003 Supreme Court ruling allowing the practice.

The library can filter Internet content, "as long as those filters could and would be disabled by a librarian upon the request of an adult, and as long as those sites were not illegal," McLaughlin wrote.

Healy, who was appointed library board president this month, said she thought that McLaughlin expressing his opinion was appropriate and said she "had no issue with it."

"I can definitely feel comfortable with his suggestion," Healy said. "However, we vote as a board. So I am just one of currently six members."

The board read a letter in support of its Internet policy at a Nov. 4 budget meeting.

There is no consensus among libraries about Internet access. Orland Park's policy is in line with others in the Chicago area that follow the American Library Association's Bill of Rights.

Public libraries in surrounding southwest suburbs like Tinley Park ban patrons from viewing pornography. Evanston, Arlington Heights and Chicago public libraries don't restrict access.

Libraries with similar policies say they risk costly lawsuits if they filter or ban pornography from adult computers.

First Amendment attorneys also say libraries that ban pornographic content risk someone filing a constitutional claim.

Robert Corn-Revere represented plaintiffs in a Virginia case involving a library's Internet policy. The district court in that case "struck down a governmental mandate for filters," Corn-Revere wrote in an email Friday.

The court's ruling in that case is considered bedrock among other First Amendment attorneys for what could happen in a court case over a library's stringent Internet access policy.

Corn-Revere pointed out that the Supreme Court ruling *McLaughlin* alluded to allows a library to filter Internet access as long as access is granted for any patron who asks. It does not mandate filters, however.

Justice Stephen Breyer wrote that the law in place "allows libraries to permit any adult patron access to an 'overblocked' Web site; the adult patron need only ask a librarian to unblock the specific Web site or, alternatively, ask the librarian, 'Please disable the entire filter.'"

The Supreme Court tied its ruling to government discounts that are given to libraries that provide Internet access. Some public libraries receive discounts on Internet access, but must filter all Internet content to qualify.

"The ALA case ruled only that the federal government could condition federal library subsidies on a filtering requirement," Corn-Revere wrote Friday.

The Orland Park Library doesn't receive grants for its Internet access because it only filters its youth computers, spokeswoman Bridget Bittman said Friday.

The library board is also looking for a new trustee to fill the position left vacant by its former president, Carole Hillman, who resigned last month.

The board is considering its legal options for filling the remaining two years of Hillman's six-year term.

Bittman said the library won't likely address the Internet policy until it fills Hillman's role.

"Their concern is that if they do vote on an important issue, it will tie again," Bittman said.