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# Internet controversy costs Orland library \$125,000 in legal bills



The dispute over the Orland Park Public Library's Internet policies has resulted in \$125,000 in legal fees for the library. (Lauren Zumbach, Chicago Tribune)

By **Lauren Zumbach**,

Tribune reporter

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**A**n 11-month dispute over the Orland Park Public Library's Internet access policy has cost the library more than \$125,000 in legal fees and resulted in several calls to police to help resolve accusations between critics and library officials, records show.

Megan Fox and Kevin DuJan have aggressively campaigned to change library policies since October, when they claimed they saw men viewing pornography at the library, which the district permits. Since then, Fox and DuJan have filed a flood of Freedom of Information Act requests regarding library policies and personnel and alleging numerous transparency law violations, all of which have contributed to rising legal bills, said library spokeswoman Bridget Bittman.

Since October, the Illinois attorney general's Public Access Bureau has received 34 complaints alleging the library violated transparency laws, mostly filed by Fox and DuJan, according to library records.

So far, the Public Access Bureau has upheld their complaint that the library illegally restricted public comment at a January meeting, illegally held the meeting where the board first voted on its Internet policy on

Lincoln's birthday, a legal holiday, and, when it attempted to ratify those decisions in March, didn't adequately explain some items voted on. In several other cases, the Public Access Bureau sided with the library.

"I want to make sure the board follows the letter of the law to a T," DuJan said.

Also since October, the library has received 133 open records submissions containing 742 distinct requests for documents, the vast majority from Fox, DuJan or people submitting requests using the same email address, according to library records.

One asked why a trustee wears a similar red outfit at each meeting, whether it was a form of "hazing" or the library has "anything in writing that explains why she dresses up as Mrs. Claus every month," according to library documents.

FOIA requests now keep two library employees busy for 35 hours each week, said Bittman, on top of which they've spent \$89,800 on legal costs related to the Internet policy controversy and other complaints from Fox, DuJan and others who have criticized its unfiltered Internet policy. An additional \$36,354 in legal fees was covered by insurance, according to the library.

The ongoing battle caught the attention of Michael Zimmer, director of the University of Wisconsin-Milwaukee's Center for Information Policy Research, who is building an archive of documents related to controversies about the materials public libraries provide and decided to make Orland Park the second library featured.

While complaints about unfiltered Internet access aren't unusual, the fact that the controversy had been stirred by people not from Orland Park, as well as the intensity of their use of social media and FOIA, were unique, Zimmer said.

"My worry is it's getting in the way of actual governance of the library, where people might be unwilling to talk about it because they're worried about FOIA, or the sheer cost," he said.

Accusations and heated rhetoric haven't been in short supply, with Fox saying in an email that her goal is to "shut down the taxpayer funded access to child porn and force the library to call police on men masturbating in the library," while a trustee opened the August board meeting by saying library staff have been "under attack" and facing false accusations for months.

Trustees who have supported the policy say they don't particularly want people watching porn on library computers but consider it a First Amendment issue and worry filters would block too much legitimate information.

The library has filters on children's computers and bans viewing materials "disturbing or offensive to others within viewing distance" in addition to anything that violates the law, Bittman said.

Police have been called numerous times to mitigate disputes between library officials and DuJan and Fox, including confrontations at a board meeting and in a parking lot. DuJan received a citation for disorderly conduct, according to police, a charge he denies. No other charges have been filed.

One Orland Park resident who spoke at last month's board meeting, Rich De Vries, sounded as concerned by the tenor of the debate as the policies in question.

"It's sad to see adults talk to each other like this," De Vries said.

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