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Dan Kleinman

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Friday, September 4, 2009

Leesburg, FL, Misled by NCAC and ABFFE; Both Write Letter Filled with False and Misleading Statements; Kids' Right to Read Project Misleads



[Leesburg, FL](#), has come under the skewed microscope of the [National Coalition Against Censorship](#) [NCAC] and the [American Booksellers Foundation for Free Expression](#) [ABFFE]. Both together have created [The Kids' Right to Read Project](#) [KRRP]. KRRP is a pressure group using false and misleading information to pressure local governments to do as the NCAC/ABFFE wishes. I provide below direct evidence of KRRP's false and misleading statements.

False and Misleading Statements by NCAC, ABFFE

In "[Kids' Right to Read Project Calls on Leesburg City Commission to Uphold First Amendment Principles](#)," by NCAC, NCAC, 21 August 2009, emphasis in original, we are told:

*The National Coalition Against Censorship joined the American Booksellers Foundation for Free Expression ([ABFFE](#)) in opposing censorship at Leesburg Public Library after two mothers, Dixie Fectel [sic] and Diane Venetta filed a petition objecting to sexual themes and the depiction of drug use in *The Bermudez Triangle* by Maureen Johnson and *Only in Your Dreams: A Gossip Girl Novel* by Cecily van Ziegesar.*

On June 10th, the Leesburg Library Advisory Board refused to move these Young Adult books into the adult section of the library or to give them advisory labels. Library Director Barbara Morse cited the presence of similar themes on television, and parents' right to decide what is appropriate for their own children, as reasons for the petition's rejection.

On August 24th, the Leesburg City Commission will hear the appeal. Kids' Right to Read Project sent the following letter in view of the Commission's upcoming decision.

The remainder of that article reprints the letter written to the Leesburg government, and that letter contains false and misleading statements, as will be discussed below.

Legally Protecting Children is Not Censorship

Just how is moving or labeling books "censorship" if other communities are doing this legally? The mothers are saying, "[While we do not seek to prohibit any student from accessing material, we do believe guidelines should be in place to protect unsuspecting minors from potentially harmful and explicit content.](#)" That is not "censorship."

The mothers also said, "*Currently, there exist established guidelines which govern content in movies, television and video games, all comparable to one another in their stated standards. These were established to assist parents in making thoughtful choices on what may or may not be appropriate for their child. We would like to see the same system at work in our local library.*" That is not "censorship."

So why is KRRP decrying "censorship"?

"*Library Director Barbara Morse cited the presence of similar themes on television,*" says KRRP. Really? Has anyone seen explicit, hard core sex on television, other than in hotels or purchased from [Romantic Depot](#)? What a coincidence; there's an age limitation on that last web site!

The Latest News from Leesburg

Here are two news stories on that Leesburg City Commission meeting:

- "[Moms Concerned Over Book Content](#)," by **Melissa Dipane**, *FOX 35 News*, 25 August 2009. This story includes a video of the actual news broadcast and a letter the women wrote 14 August to the Commissioners. Interestingly, at issue is a book I personally got the author to admit he would not give to his own twelve-year-old if he had one, [Looking For Alaska](#), yet the American Library Association [ALA] gave it the top award for children in 2006.

Which raises the key point: how can the ALA claim only parents should be responsible for what their own children read when the ALA misleads parents at the very same time as to the contents of those very same books? You shouldn't have it both ways. It shouldn't be so hard for Dixie Fechtel and Diane Venetta to convince their own public library supported by their own tax money to legally keep such material from children. If KRRP wishes to direct local library policy, it should pay taxes as well.

- "[Parents Ask Commission to Remove Books from Youth Section of Library](#)," by **David Donald**, *The Daily Commercial*, 25 August 2009. This story is about "Gossip Girls" books. The [false "slippery slope" argument](#) was raised. Did you know the ALA declared "Gossip Girls" books "not the most literary" and not an example of "good works"? "Besides, [the ALA YALSA President] says, what's the worst thing that can happen? 'Nobody complains about the adult women who read [Harlequin romances](#).'" See:

- ["Racy Reading: Gossip Girl Series is Latest Installment in Provocative Teen Fiction, and It's As Popular As It Is Controversial,"](#) by **Linda Shrieves**, *The Orlando Sentinel*, 6 August 2005
- ["YALSA Recommends Books For Young Adults Who Enjoy 'Gossip Girl' Series,"](#) **ALA Press Release**, *American Library Association*, 11 April 2006.

Credit this story with the picture shown with this blog post.

The NCAC History of Deception of Local Governments

The NCAC, ABBFE group has a history of misleading local governments. Here is an example in which I have been involved: "[Facts Disprove ALA Statements Regarding West Bend, WI: ABBFE, NCAC, and Others Similarly Incorrect](#)," where I said, "If you find the ALA is misleading you, if you find the other pressure groups are misleading you, that is not enough. You need to act legally to protect your children in the public library."

Here is an example where the NCAC comments on a matter (from Loudon County, VA) that ultimately went to the US Supreme Court, and the NCAC's view *lost* in [US v. ALA](#). See, "[Censorship Tools du Jour](#)," by **Marilyn C. Mazur, Esq.**, *National Coalition Against Censorship*, 1 March 1998. The Court said, "The interest in protecting young library users from material inappropriate for minors is legitimate, and even compelling, as all Members of the Court appear to agree." The NCAC apparently does not agree, and it should be on the losing side again, this time in Leesburg, FL.

I'll bet I could dig up dozens, perhaps hundreds, of examples of the NCAC misleading local governments. Is true local control of local libraries possible where the locals have been misled?

Letter Written to Leesburg to Counter NCAC Propaganda

Below is the letter I wrote to the Leesburg City Commission (and [submitted online](#)) to evidence the NCAC/ABFFE's false and misleading statements:

The Leesburg City Commission
501 W. Meadow Street
Leesburg, FL 34749

August 23, 2009

Dear Commissioners,

I am writing as a result of the false and misleading material containing in the August 21st letter from the National Coalition Against Censorship [NCAC] and the American Booksellers Foundation for Free Expression [ABFFE] regarding the Leesburg Public Library Advisory Board.

They wrote about the need for a lack of "serious literary, artistic, political, or scientific value" as one consideration. They said both relevant books "possess significant value." What they did not reveal is that in the case of the Gossip Girl series, the lack of serious literary value has been established. By the American Library Association [ALA]. By the president of the Young Adult Library Services Association of the ALA. The Gossip Girls series, instead of "possessing significant value" as the NCAC and ABFFE so states, is instead described by the ALA leader as "perhaps not the most literary," and the series is distinguished from "good works":

"Pam Spencer Holley of the [ALA and leader of YALSA for youth, said] ... [s]he's happy to see teen girls reading. Eventually, girls who are reading Gossip Girls will move on to better books, she says. 'Unless you read stuff that's perhaps not the most literary, you'll never understand what good works are,' says Holley. Besides, she says, what's the worst thing that can happen? 'Nobody complains about the adult women who read Harlequin romances.'" Source: [Racy Reading: Gossip Girl Series is Latest Installment in Provocative Teen Fiction, and It's As Popular As It Is Controversial](#), by Linda Shrieves, Orlando Sentinel, 6 August 2005. (<http://www.southcoasttoday.com/daily/08-05/08-06-05/b01i276.htm>)

Further, the issue is not whether the "government may restrict the dissemination of sexually explicit material to minors." We know it may. For example, [US v. ALA](#) (<http://laws.findlaw.com/us/539/194.html>) says in the context of public library Internet filters and implicitly the underlying book collection policies that filters help to impose over the Internet, "The interest in protecting young library users from material inappropriate for minors is legitimate, and even compelling, as all Members of the Court appear to agree." Personally, I find it misleading that the NCAC and the ABFFE did not apprise you of this. That may have something to do with mooting their major argument.

It is also curious that, for example, Booklist is cited as a source for information about material, but the ALA being the source of Booklist is never revealed, and the ALA has a policy (so-called Library Bill of Rights) that no librarian should ever restrict any child from any material-- apparently the US Supreme Court's statement in US v. ALA had no effect on the ALA, and the NCAC/ABFFE is suggesting an ALA publication is a reliable source for information. I suppose if defying the US Supreme Court is something with which you agree, the ALA is an excellent source, but I would never be able to sidestep the US Supreme Court so glibly. Other sources of information are never recommended, and the NCAC/ABFFE did not disclose this, like what Naomi Wolf said about the Gossip Girls series in "[Young Adult Fiction: Wild Things](#)," The New York Times, 12 March 2006. (<http://www.nytimes.com/2006/03/12/books/review/12wolf.html>)

Then the NCAC/ABFFE misleads you with the Sund case. Do they reveal that the books at issue were completely different in nature than the current books of concern? No. Did they reveal the nature of the case was completely different than the present matter? No. Read the case, you'll see

what I mean.

This paragraph is particularly misleading:

"Parents who have concerns about their children's reading choices have every right to guide them. However, they may not interfere with the choices other people make for their children. Therefore, none of the suggestions for restricting access to books in the Leesburg library are acceptable, including placing Young Adult books in the adult section; requiring written permission from a parent or guardian to check the books out; or applying a rating system based on particular types of content to classify books. These proposals would all create special rules and procedures for certain books simply because some patrons don't like them. This is another form of discrimination on the basis of content that the Constitution does not permit."

The NCAC/ABFFE admits parents may guide children, but they seek to prevent parents from being able to implement such guidance in their own public library paid with their own taxes. It is almost as if common sense and "protecting young library users from material inappropriate for minors" is NOT "legitimate, and even compelling."

"These proposals would all create special rules and procedures for certain books simply because some patrons don't like them." Really? So the issue is one of taste, not "protecting young library users from material inappropriate for children"?

"This is another form of discrimination on the basis of content that the Constitution does not permit." Really? So the US Supreme Court in *US v. ALA* and [Board of Education v. Pico](http://laws.findlaw.com/us/457/853.html) (<http://laws.findlaw.com/us/457/853.html>) is acting "discriminatory on the basis of content"? The US Supreme Court had ruled against the US Constitution? Is the NCAC/ABFFE argument to be believed when clearly the case law and common sense allow children to be legally protected from inappropriate material whereas the NCAC/ABFFE say such protection is not possible? And if they say it is possible, they sure rule out any reasonable possibility: "Therefore, none of the suggestions for restricting access to books in the Leesburg library are acceptable, including placing Young Adult books in the adult section; requiring written permission from a parent or guardian to check the books out; or applying a rating system based on particular types of content to classify books." Imagine that, the NCAC/ABFFE says requiring written permission from parents is not allowed. Who died and made them rulers over communities nationwide?

Conveniently left out is that numerous communities already move material inappropriate for children to the adult section. Even the ALA says this is fine in the right circumstance. Why is the NCAC/ABFFE saying this is "unacceptable" if other communities have already done it and done so legally? Unacceptable to whom? Does the NCAC/ABFFE speak for your local citizens?

Lastly, the NCAC/ABFFE letter makes no mention of you. No mention of your local law. No mention of the law that created your library. Take a look at that law. Does it say anything goes? Does it say the library policy is to be dictated by out-of-town political organizations writing misleading letters to fool the public into deciding not to use legal means to protect their own children? Or does it say the library was created for a purpose. Does it say the library is for the educational and recreational needs of the community? Is material the ALA admits is "not the

most literary" part of that vision that must not be placed in the adult section?

Who runs the library? You, or the NCAC/ABFFE/ALA?

I am not telling you what to think or what to do. Instead, I am pointing out that the NCAC/ABFFE is telling you what to think and what to do, and they are misleading you in the process. In my opinion, the deception is intentional. Thanks to the US Supreme Court, your own library's enabling instrument (most likely), and common sense, you may legally protect your children as you see fit.

Sincerely,

Dan Kleinman
[addresses elided]