

11-9-2009

# ALA Controls Nicholasville, KY; Freedom of Speech Denied by Library; Library Director Says Kids Have First Amendment Right to Inappropriate Material

Dan Kleinman

Follow this and additional works at: [http://dc.uwm.edu/west\\_bend\\_library\\_challenge](http://dc.uwm.edu/west_bend_library_challenge)



Part of the [Library and Information Science Commons](#)

---

## Recommended Citation

Kleinman, Dan, "ALA Controls Nicholasville, KY; Freedom of Speech Denied by Library; Library Director Says Kids Have First Amendment Right to Inappropriate Material" (2009). *West Bend Community Memorial Library (Wisconsin), 2009*. Paper 331.  
[http://dc.uwm.edu/west\\_bend\\_library\\_challenge/331](http://dc.uwm.edu/west_bend_library_challenge/331)

This Blog Post is brought to you for free and open access by UWM Digital Commons. It has been accepted for inclusion in West Bend Community Memorial Library (Wisconsin), 2009 by an authorized administrator of UWM Digital Commons. For more information, please contact [kristinw@uwm.edu](mailto:kristinw@uwm.edu).

## Monday, November 9, 2009

### **ALA Controls Nicholasville, KY; Freedom of Speech Denied by Library; Library Director Says Kids Have First Amendment Right to Inappropriate Material**

How many times has SafeLibraries pointed out how the American Library Association [ALA] controls local libraries? Well, here's an article that proves it and details how it's done: "[Child Protection or Censorship? Library Employees Lose Jobs Over Book](#)," by **Amy Wilson**, *Lexington Herald-Leader*, 8 November 2009.

First, let me set up the story (that I first presented in "[Librarians Fired for Not Pornifying Child](#)").

A library in [Nicholasville, KY](#), has material that is inappropriate for children. All libraries do. This is not a problem. A library worker then sees that an 11 year old has placed a hold on some material she decided long ago is inappropriate for children. Whether or not she is correct is irrelevant. So she and another library worker delete the child's hold on the book. The very next day, both are fired by the library director at the behest of the library board.

The fired employees then act to prevent children from accessing inappropriate material in their own library. They and dozens of supporters go to the next library board meeting to express their views. But the library board refuses to hear any of them, saying they were not on the agenda.

Firing the two employees the day after the supposed offense was not on the agenda either, but that was done overnight. On the other hand, dozens of citizens show up at a library board meeting to discuss the firings and what can be done to protect children and they are all told they may not speak because they are not on the agenda. To me, that is a double standard—the firings were done overnight by the library board, but that same board refused to listen to anyone at a public meeting with the thinly-veiled excuse that it was not on the agenda. Are libraries supposed to be bastions of free speech or does free speech have to be on the agenda?

It gets worse. The library actually refuses to comply with the citizens. Why? It has accepted the ALA's so-called "[Library Bill of Rights](#)" as its guiding principles. Not what people want, not adherence to local law. No, it follows the ALA.

That "Library Bill of Rights" was once a worthy document. Then "age" discrimination was added to the document. Its inclusion was affirmed years later. Now it is considered a violation for a librarian to keep inappropriate material from children.

So you have a community that wants to protect children from inappropriate material, and you have a library that wants to ensure children retain access to that same inappropriate material. In that battle, guess who wins? The ALA. The children lose.

How does the ALA win? They have a huge organization called the "Office for Intellectual Freedom" that propagandizes the public with false information to convince librarians, library

employees, and the people generally that the First Amendment requires communities to toss aside all common sense or adherence to local laws and interests. The ALA points out that preventing access to information is illegal. It may be, but that is not the issue. Inappropriate material for children is not "information," unless anyone considers graphic sexual descriptions of an x-rated nature to be "information." Could anyone imagine our Founder Fathers dying for the right to allow public libraries to make inappropriate material available to children? "[Give my child porn, or give me death!](#)"

The ALA also wins by attacking local individuals who oppose ALA policy and anyone who helps them. (Like me.) The local individuals are called "censors" and "book banners." Wait, it is bound to happen if it has not already. Here's the ALA laughing at people like this: "What we're dealing with is a minority of people who are very vocal,' [Judith] Krug said. 'These people are small in number but they start screeching, and people start getting concerned.'" Source: "[Parent Loses Fight to Ban Book; Committee Votes to Keep 'Abduction!' on Library Shelves](#)," by Bao Ong, *St. Paul Pioneer Press*, 19 May 2006.

Krug. She's the same [ALA leader who accused parents of being racist when they attempted to remove a bestiality book from public school, because the author was black](#).

So the ALA argues that laws covering instances of obscenity and pornography protect libraries, but neither of those are the real issues. The real issue is that a community gets to decide for itself what is appropriate in its own public library, and it need not be forced to leave children exposed to inappropriate material just because the ALA is effective at spreading its propaganda and besmirching local citizens.

Further, many local libraries are created by some legal instrument that may list what the library may or may not do. If the library follows ALA policy and acts outside this local law, the government has full authority to ensure the library acts within the law without breaching the library's veil of autonomy. I urge Nicholasville, KY, residents to find this local law and see if it helps them. (Perhaps post it in a comment below for all to see.)

Here is some truth you will never, not once, hear from the ALA: "[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.](#)" That is from the US Supreme Court case of [US v. ALA](#) in 2003. The Court went on to protect children from inappropriate material on the Internet. The ALA would have you believe, however, that US v. ALA is irrelevant and that their own "Library Bill of Rights" somehow trumps the US Supreme Court, local law, community standards, and common sense.

The Nicholasville, KY, community is perfectly within its rights to decide to protect children from inappropriate material in the library. It can see to it that the library policy reflects the community's views and the local law. To the extent it does not, the offending library policy can be excised and removed. If the current library board will not do it, a new board can be appointed that will act in accordance with the community. For example, in West Bend, WI, four library board members were not reappointed after it was clear they were refusing to comply with their own materials reconsideration policy. See "[West Bend, WI, Affirms Library Ouster Setting](#)

[National Example of Local Control Despite Outside Influence.](#)" Other remedies are also available.

Now let's get back to that article I linked at the top. Let's look in that article to support the statements I have made.

The following shows the denial of the freedom of speech—keep in mind kids supposedly get access to inappropriate material as a matter of freedom of speech, but those who oppose ALA policies controlling their public library are quite obviously shut down:

On Oct. 21, at its first meeting after the firings, the library board of directors found they needed a policy for public comment. Fifty people showed up unannounced to tell the library what they thought on the board's recent personnel actions.

Also on hand were **[Sharon] Cook** and **[Beth] Boisvert**, who had prepared a power-point presentation of their case. It wasn't, they say, about keeping their jobs. It was about the fact that they had thought the book they found on the shelves of the library had originally been a mistake.

And the shock, they say, was that it wasn't. (The book had been bought originally because a patron had requested it.)

The presentation was created to explain that the Jessamine library's collection "currently contains material, readily available on its shelves, that is improper for children to view."

Moreover, they say they wanted to warn the library board that Kentucky law prohibits distribution of pornographic material to a child and they are concerned that the Jessamine library could be in felony violation.

They wanted to offer a plan for resolution: Because the U.S. Supreme Court decided in 1973 that obscenity could be determined by local community standards, Jessamine County citizens should determine what they want their children to have access to.

They wanted to then suggest that the library change its policy on censorship.

Boisvert said she wanted them to know that "because we are a conservative community, we will choose to have our children protected."

**Cook and Boisvert were never given the opportunity to speak. Neither was anyone else in the gallery. The reason given: It was not on the agenda.**

**People left really, really riled.**

Director **[Ron] Critchfield** has repeatedly said the library will not comment on personnel matters. The library, instead, has been left to try to speak through its policies.

Next, this illustrates the double standard, in consideration of the above that the library board

would not accept public comment because it was not on the agenda. Well, I am certain an overnight firing by the library board did not get on any agenda either:

On Sept. 22, Cook told two of her colleagues at the library about her dilemma, and Beth Boisvert made a decision. She would take the book off hold, thus disallowing the child — or the child's parents — ever to see the book.

On Sept. 23, both Cook and Boisvert were fired. They were told by library director Ron Critchfield the firings were a decision of the library board.

Now look at this from the article, showing how the library chooses to follow ALA direction instead of local direction. The library director actually intimates that children have a First Amendment right to inappropriate material:

The Jessamine library had, before any complaint, adopted the American Library Association's policy manual and code of ethics as its own. (It is also the policy and code of ethics adopted by the state library association.)

It states: "Expurgation of any parts of books or other library resources by the library, its agent, or its parent institution is a violation of the Library Bill of Rights because it denies access to the complete work, and, therefore, to the entire spectrum of ideas that the work was intended to express."

Further, in the ALA's Code of Ethics: "We distinguish between our personal convictions and professional duties and do not allow our personal beliefs to interfere with fair representations of the aims of our institutions or the provision of access to their information resources."

Critchfield has made a form of public comment: an open letter in the Jessamine Journal. In part, he wrote:

"As customers of a public library there is a First Amendment expectation to respect the rights of all persons — what one person might view as questionable might be quite important and relevant to another."

Exactly what "ideas" does inappropriate material for children express that makes it worth tossing aside local interests and US Supreme Court statements and accepting instead the ALA's point of view? Keep in mind the [ALA's policy on children was created on its own and forced into libraries by an ACLU member now with the ALA](#). The ALA/ACLU controls the [Jessamine County Public Library](#), not the library's patrons and taxpayers?

Oh look, the ALA got directly involved, though in a legitimate, informational fashion:

As to the charge about Cook's concern that the library was in violation of the state obscenity laws?

Deborah Caldwell-Stone, acting director of the ALA's Office of Intellectual Freedom, says no U.S. library employee has ever been charged with that in a situation like this. Most states, including Kentucky, have written in an exclusion provision to that law, barring prosecution of libraries and education and scientific institutions.

Nevermind obscenity is not the issue. We are all supposed to think that since the book does not meet the legal definition of obscenity, the library must shelve it and make it available to children.

Critchfield would not comment on the terminations because they are personnel matters.

Gee, that is not a surprise, given library directors do not discuss:

- why [a library employee was fired for reporting child porn](#),
- why [libraries obstruct police investigating child porn incidents](#),
- why [library directors cover up for child porn viewers](#), or indeed
- why [libraries aid and abet pedophiles, destroy evidence, retaliate against whistle blowers, claim dubious privacy and free speech rights, with much of it being the ALA's fault](#), and consider
- why [a retarded teen can get raped in a library bathroom and no one notices](#), but somehow taking a kid off hold for inappropriate material results in an overnight firing,
- etc.

I suppose the Nicholasville, KY, community can relax knowing it is in good hands with Critchfield and the ALA