Safe Schools Safe Libraries

Protecting children from pornography and exploitation in our schools and libraries.

BECOME A COMMUNITY LEADER!

THE
"GETTING STARTED"
PACKET
Dear Friend,

Thank you for taking a stand against pornography in your community. We want you to know that you’re not alone in this battle. We are here to help you and make sure you get connected to others who can help too. It is sometimes overwhelming to take on a task like this, especially when there are many against you, but you are not the first to do this and we have learned from many others. Please read through this introduction packet and then contact us. We may have some more information about your specific location. dhawkins@pornharms.com or (202) 393-7245

Many thanks!

Dawn Hawkins
Executive Director
Morality In Media
Porn Harms
www.PornHarms.com
General Plan For Local Leaders

1.) **Review this packet of material.** Educate yourself about the general harms of pornography, the dangers of pornography in public places like schools and libraries and review the general laws and policies already in place. Practice telling your friends about this issue so you feel comfortable when you go to your local officials. If you want to ask questions or practice with Morality In Media, just call us. (202) 393-7245 or grassroots@pornharms.com. Visit www.SafeLibraries.blogspot.com and www.SafeSchoolsSafeLibraries.org for more information.

2.) **Determine what the policy is in your local library and public schools and if this has been a problem in your area.** (Even if there have not yet been problems, there likely will be if the policy is inadequate or nonexistent.) See the attached form (page ?) for possible questions to ask. Please let us know your findings. Call or visit them in person. Ask multiple people – (ex: a few librarians, various teachers, the library board, the school superintendent, etc.)

If there is a policy in place, is it good enough? How can it be improved? Work with MIM on this.

If there is an inadequate or no policy in place, the following is a general action plan. There will be different stages and we’re here to help throughout the process. We have gathered the knowledge and skills of many who can aid you in this effort. We will provide expert testimony, legal knowledge and assistance if needed and can help you mobilize grassroots support in your area.

3.) **Contact library/school officials.** Meet with them in person, call them, email them. See Folder 2 in this packet with what you can say and send to them. Be friendly and recognize the good they do for the community.

4.) **Get others to help.** Talk to your friends, family, and neighbors about this issue. Ask for their support. Invite them to meet at your home (or elsewhere) to discuss this problem. Try to get 10-20 people on board initially. All of you should contact the library/school officials with calls, letters and emails. A few of you should meet personally with the library director, library board members, school principals, school superintendent, etc. **Sometimes, this will be enough.**

5.) **If the library/school is not supportive or responsive, contact leaders in your community.** Ask for their support. Specifically reach out to leaders of local churches. They often will support this issue and already have a strong organization in place with which to help. City

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Council members, the mayor, state legislators, county commissioners, etc. can be very helpful if on your side.

6.) **Attend and present at public meetings.** Find out when and where the library/school board meets. You have a right to attend the public meeting and should be given a few minutes to make your case. We can help you prepare for this. It is a good idea to have a few others go with you to present at the meeting. We can help arrange to have local experts on this issue present also. Attend your next city council meeting and present your case there as well.

7.) **Increase public pressure.** This could include: petitions, letters from concerned citizens, a call-in effort to officials and staff, contacting your local newspapers, a friendly demonstration in front of the library to give information to patrons, etc.

8.) **Work with elected officials.** Ask them to sign a pledge or sign a letter of support. Perhaps a few leaders will sponsor local legislation mandating an anti-pornography or filtering policy. Get local citizens to contact them as well.

**Note:**

- Keep track of your actions and progress.
- Remember that you're not alone in this. We will put you in touch with many others who have attempted this in their local areas. We can help you find support and the tools necessary. We will help you network and connect with others who can help in your area.
- If you or your group needs legal counsel, we can help you find the right match, likely on a volunteer/pro-bono basis


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Safe Schools Safe Libraries
Protecting children from pornography and exploitation in our schools and libraries.

Who Do I Contact and Where Do I Start?
We recommend first talking with Dawn Hawkins or Dan Kleinman by phone - (202) 393-7245
This list will help get started with when you're ready to take action in your area.

Public Libraries
- Patrons
- Library volunteers
- Librarians
- Head Librarian
- Library Director
- Library Board of Trustees
- County Board of Commissioners
- City Council Members
- Mayor
- County Commissioners
- State Librarian
- State Legislators
- Governor
- Federal Communications Commission

Local Schools
- Students and Parents
- Various Teachers
- School Librarian/Computer Teacher
- School Counselors
- Assistant Principal
- Principal
- Parent-Teacher Groups (PTA/PTO)
- Student Council (if high school)
- School District Superintendent
- School Board Officials
- City Council Members
- Mayor
- County Commissioners
- State Legislators
- Governor
- State Department of Education

- Be nice and friendly. You're just looking for information to start. How do those closest to the problem feel about this? Do the librarians and teachers see a problem? Have library patrons or school children been affected? Remember that the first few groups of people listed on this paper usually do not have the ability to implement these policies. They are public servants trying to serve their community.
- Recognize the good things in place in your library and school. It will be beneficial to refer to this list throughout your efforts. We are trying to work WITH these local leaders to maintain our community standards and safety.

It's time to start your investigation. Use the worksheet on the reverse side of this sheet.
Getting Started
(This is for your personal use.)
Has this been a problem in my community? Are there any local news stories? Do my friends know anything about this? Etc.

Why do I care about this?

I know these people who might be willing to help:

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What's The Policy? - What to ask your library/school

Just a few reminders: Be NICE and FRIENDLY. Take note of the good the library/school does for your community. Share your concerns, but try not to put the person you're talking to on the defensive. Test some things out yourself by looking at the computers first. Maybe you can talk with a few of the regular patrons or volunteers before speaking with one of the librarians. Start first with the librarian at the information booth. Try not to escalate to the head librarian unless you have to.

Questions to ask:

- Do you have a policy about accessing pornography at your library/school?

- What is your policy? May I have a copy of it? Is the policy posted somewhere for the public to see?

- Do you have filters on library/school computers?

- If yes, can users disable filters themselves? How?

- If yes, are they on all computers or just on some computers?

- If they are on just some computers, which computers have filters? Might children be exposed to pornography if an adult is viewing it on the unfiltered computers? Is it easy for other patrons to see the screen? (Consider taking pictures of the setup and of someone's screen where one might walk by.)

- Are the librarians/teachers able to disable the filters for themselves or for users?
• What is your responsibility if a patron/student is viewing pornography? Are you supposed to say something to them?

• Have patrons/students/teachers viewed pornography here?

• Can you share with me instances when pornography was accessed? What happened? (You don’t have to include names.)

• Does the viewing of pornography make your feel uncomfortable or unsafe in your job?

• If there are no filters, why not?

After you have gathered enough information:

• Politely share your concerns and a few facts about the dangers of pornography in libraries and schools.

• Consider sharing a few examples.

• Briefly explain that including filters is not censorship and the First Amendment actually does NOT PROTECT obscenity. Also, explain that the U.S. Supreme Court has found it to be constitutional to have filters in libraries and schools.

• Ask whom you might be able to talk to about your concerns. (The head librarian, library board, etc.) Ask for their contact information and/or give yours and promise to follow up.

• Give the librarian the extra packet of information and ask that they give this to the head librarian for you to follow up with.

Now share your findings and experience with Morality In Media!

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<thead>
<tr>
<th>Name</th>
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<tr>
<td>Dawn Hawkins</td>
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<td>Patrick Trueman</td>
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<td>Activist working on the issue of pornography in libraries and schools for many years</td>
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<tr>
<td>Dan Kleinman</td>
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<td>SafeLibraries.com</td>
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Jefferson County, CO
In July 2011, a parent complained to the library because her 5-year-old son was exposed to pornography and witnessed a teen masturbating in front of his computer. The computer had a privacy screen, but the child still saw the images while walking by. The library did nothing about the incident and allowed the teen to stay on the computers. The parent then contacted the local sheriff’s office and the teen received a ticket for trespassing and faced charges of indecent exposure. Outraged by the inaction on the part of the library and their excuse that they “can’t do anything about it,” a few concerned parents got together and decided to pressure the library board about this issue. Some concerned citizens voiced their concerns at the public library board meetings, citing the many harms of pornography and the dangers of having free access at the library. In August 2011, the library board voted 4-0 to block access to all porn sites. They now have a no-porn policy in place!

Utah
In 2001, a concerned mother in UT realized that pornography was being accessed at her local library in Salt Lake City. In disbelief, especially because the Children’s Internet Protection Act was just passed the previous year, she contacted a few library officials. She was told nothing could be done and that filters were unconstitutional. She attended many meetings of the Library Board where she and a number of experts presented their concerns clearly and politely. She also collected and presented hundreds of letters from other citizens to the board explaining their concerns. They dismissed her efforts, claiming that pornography was not being accessed at their libraries. With the help of others, she ran a “check” on random computers at the different libraries in her area and printed off these reports. It was found that pornography was accessed on all of them frequently. The computer closest to the librarian’s checkout desk had the greatest history of users viewing pornography. She shared these reports with the library board at their next meeting and was again largely ignored. At that point, a local reporter contacted her whose child had been exposed to pornography while at the library. They held a press conference in front of the library and then requested a meeting with country government officials. She helped to organize an event for all state and local officer, as well as library board members, to explain how filters worked and answer questions. (Content Watch, an Internet Management company, presented at this meeting.) Finally, this concerned mom contacted a number of state legislators about sponsoring a bill to mandate filters in UT public libraries. With her persistence, the bill was sponsored and then passed in 2004! Visit www.WomenForDecency.org for more details on this story.
Recent News Headlines
Porn In Libraries

"Fan of Library Porn Admits Raping Little Girl"
Library patron who frequently accessed pornography on Philadelphia library computers was convicted of rape after assaulting an eight year-old girl.

"Homeless Men Caught Watching Porn at Laguna Beach Library, Patrons Say"
Eight men watched pornography at a public library computer while one masturbated in public. The library responded to public outrage, saying there wasn’t much they could do.

"Librarian Suit: Computer Porn Use Lead to Groping While Children Present"
Birmingham, AL librarian sues library for having a 'hostile work environment' where patrons view porn in her presence, harass and grope her, and are allowed to do so in presence of children.

"Sex Offender Arrested After Surfing For Porn In Library"
A sex offender is behind bars after police say he surfed for porn in a public library, in front of a child.

"Internet Porn Statistics at Dallas Central Library Prompt Concern"
7.5% of web traffic was for pornography at a local Dallas library over a randomly selected period.

"Library User Viewing Porn Upsets Girl"
Fourth grader exposed to hardcore pornography while visiting library with mother. Mother says the girl was deeply affected and could not sleep that night. Librarian refused to do anything about it.

"Porn, Sex Crimes in San Juan and Martin Luther King Libraries"
Man found stripped to underwear in library; police report shows the past year of assaults, lewd acts, drug-use have occurred at San Jan Library; Martin Luther King Library has big problems with patrons accessing pornography on computers.

"After several incidents of public indecency, Quincy official says: Expose library porn watchers"
Quincy, MA councilman wants list of people accessing porn in libraries after several incidents of public indecency.

"Sex Offender Accused of Viewing Child Porn in Library"
Man caught watching child porn in public library in CA.

"XXX: Man uses Gardens Branch Library computer to watch porn"
Palm Beach Gardens, FL library ignores woman’s complaints after she finds a patron viewing porn.

"Michael Houle charged with downloading child pornography at Holyoke Public Library"
Holyoke MA man charged with downloading child porn from library computers. The library he viewed it at had allowed 40 computers to remain filter-free after library-governing body had required filters for the computers.

"Romeoville man arrested for taking photos of kids"
A Romeoville man was arrested for taking photos of a nine-year-old girl with his cell phone at the White Oak Library Normantown branch, and was later charged with child pornography for having more than 200 sexual images of children on his phone.

"Seattle Library Lets Man Watch Porn in View of Children"
A Seattle librarian refused to force a man watching hardcore porn on a computer to move to a more discreet location, even after a woman with two children complained.

"ACLU Sued Library for Not Allowing Online Porn"
The ACLU is suing a Washington state library district with the claim that not allowing porn is censorship.

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“Court rules library can have Internet filter”
The Washington State Supreme Court voted 6-3 in favor of the North Central Regional Library when the library was sued by the ACLU for installing Internet filters to prevent access to pornography.

“Librarians stand aside as patron watches porn and engages in lewd acts”
A resident complained last week about a man watching pornography on a public computer and behaving lewdly in front of a Malibu library. According to a county Board of Supervisors policy, the Malibu Library is unable to stop customers from using computers to view pornography.

“Lake City Parent Wanted Hard-Core Porn-Watching Man Moved; Lake City Library Refused”
Julie Howe has taken to the Lake City Live neighborhood blog to tell her story of a man who she says was watching hard-core pornography on a computer at the Lake City Library on a late Sunday afternoon earlier this month.

“Lynn suspect held on a low bail after child-porn bust at library”
A Lynn man accused of viewing child pornography on public library computers has been ordered held on $1,500 bail after pleading not guilty.

Police Blotter: Man In SUV Seen Snapping Photos of Kids at Park After Watching Porn At Library
A man was seen snapping photos at the park. On the same day, a woman reported that her daughter had just left RSM library where the same man was watching pornography on a library computer.

“Porn in library startles patrons”
Workers at the Plaistow Public Library got a surprise last week when a printer began spitting out pages of pornography. It turns out a library patron printed the pages off a computer used by the public, but never collected them at the printer before it ran out of paper.

“Hannibal man gets 25 years for porn on library computer”
A Hannibal man accused of downloading child pornography on a Hannibal Public Library computer has been sentenced to 25 years in prison. Gary Wayne Martin, 45, was indicted by a federal grand jury of one felony count of production and two felony counts of possession after an arrest last March.

“Porn case at library indicted”
A Corsicana man arrested for allegedly viewing child pornography on a Corsicana Public Library computer was indicted Thursday on 10 counts of possession or porn.

“Court Week: Pornography on the library computer on the docket”
Grand Rapids resident, Alan Waldron, 43, faces a maximum of five years in prison for using the Lowell Library’s wireless to download more than 100 images of pornography -- including some that depicted sexual acts between children.

“Registered sex offender charged after viewing child pornography at public library”
A registered sex offender from Orange County made his initial appearance in federal court Thursday, following his arrest at a local public library where witnesses allegedly observed him viewing child pornography on one of the library’s computers.

“Muncie man charged with indecency – again”
A Muncie man was charged Wednesday with public indecency -- for the fifth time in less than year. Joseph Anthony Wheat, 25 is accused of pulling down his pants and fondling himself while looking at pornography at the library.

“Library opts against restricting online access to explicit material”
Hawthorne-Longfellow Library will continue its policy to not restrict Internet access, despite several incidents of involving pornography and public masturbation in the library.

“Police: Pa. man views library porn, touches self”
A 45-year-old Pittsburgh man has been jailed after police say he viewed pornography on a public library computer and touched himself inappropriately, both in view of children.

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What does the American Library Association say regarding filters and child safety at public libraries?

Comments made by Judith Krug, former President, American Library Association:

"You should have access to ideas and information regardless of your age," Krug said. "If anyone is going to limit or guide a young person, it should be the parent or guardian -- and only the parent or guardian." New York Times quoting Judith Krug

"Parents who would tell their children not to read Playboy 'don't really care about their kids growing up and learning to think and explore.'" 9/18/95 Citizen, quoting Judith Krug.

"A librarian is not a legal process. There is not a librarian in the country -- unless she or he is a lawyer -- who is in the position to determine what he or she is looking at is indeed child pornography."- Quoting Judith Krug

"I get very concerned when we start hearing people who want to convert this country into a safe place for children..." quoting Judith Krug

"Blocking material leads to censorship. That goes for pornography and bestiality, too. If you don't like it, don't look at it ... Every time I hear someone say, I want to protect the children, I want to pull my hair out." Quoting Judith Krug

Comments by Ann Symons, former American Library Association president, 1997:

"If the library didn't own [pornographic] material and you as a 13-year-old asked for an inter-library loan, that should be granted to you ...."

Quotes from American Library Association’s Website www.ALA.org:

"The Interpretation of the Library Bill of Rights entitled Access to Electronic Information,
Services, and Networks calls for free and unfettered access to the Internet for any library user, regardless of age...The Resolution and Statement condemn as a violation of the Library Bill of Rights any use of filtering software by libraries that blocks access to constitutionally protected speech.”


“Knowing what materials are actually obscenity or child pornography is difficult, as is knowing, when minors are involved, and what materials are actually “harmful to minors.” The applicable statutes and laws, together with the written decisions of courts that have applied them in actual cases, are the only official guides. Libraries and librarians are not in a position to make those decisions for library users or for citizens generally.”


"As for obscenity and child pornography, prosecutors and police have adequate tools to enforce criminal laws. Libraries are not a component of law enforcement efforts naturally directed toward the source, i.e., the publishers, of such material.”

- American Library Association, “Guidelines and Considerations for Developing a Public Library Internet Use Policy,”

“Moreover, libraries should be aware that the legal framework and context of regulation is rapidly changing; federal, state, and local governments have begun to legislate specifically in the area of library Internet use. Libraries should actively oppose proposed legislation that exposes them to new liabilities and negatively impacts intellectual freedom...”


“By embracing values over filters, we are expressing trust in our children, that they will decide wisely when the opportunity for misjudgement presents itself. By stressing values over filters, we send the clearest message to our children: As is true of the real world, you can go anywhere you wish, and it is ultimately up to you to decide what is right and wrong and face the consequences of your judgement. This, over time, would help enforce personal accountability and a permanent sense of responsibility and self-respect. Nowhere in this process can we turn to cold, impersonal, valueless technology and expect that to help define the moral element of our global civilization.”

- Robert J. Tiess, “Encouraging Values Over Filters,” quoted at [https://wwwalaorg/alaboutala/offices/oil/foryoungpeople/youngpeopleparents/ALA_print_layout_1_388274_388274.cfm (Accessed 2/9/12)]
FAQ – FILTERING IN MY PUBLIC LIBRARY

Why do we need filters for public libraries?

BECAUSE countless children are getting their first experience of pornography on library computers. The average child first sees pornography at the age of 11, and porn use is rampant in libraries. BECAUSE more and more of our children are suffering from addiction to pornography. BECAUSE libraries that don’t filter the Internet on their computers attract predators who use libraries to anonymously access porn and then molest and rape children, sometimes at the library. BECAUSE libraries without filtered computers are unsafe, with increased incidents of sexual crimes, including rapes, molestation, harassment, and obscene behavior. BECAUSE most patrons don’t want to be exposed to pornography while frequenting their library. BECAUSE the library needs to be a safe place for everyone, young and old, to learn and access information.

Isn’t filtering software unreliable and weak?

Not any more! Filtering software has improved greatly in the past decade. In addition, filtering software is extremely difficult to circumvent, even with sophisticated software (see http://www.safelibraryproject.com/web-filtering-round-up-get-parental-controls/). Major businesses like Nike and UPS; major schools like Texas A&M and the San Diego Unified School District; and countless other groups rely on filtering software. Groups that argue that filters cannot protect our children from porn rely on outdated information, while ignoring the fact that businesses, schools, and countless others use filtering software without problems.

Won’t filters block important and useful information? For example, wouldn’t filtering software block someone looking for help with “breast cancer?”

Almost all filtering software today is able to distinguish pornographic information from useful sexual-health information. Additionally, filters include an option to temporarily unblock computers that adults are using for legitimate purposes. In practice, the worst that would happen with filtering software is a brief delay in accessing information. Unfiltered Internet access, on the other hand, increases the chances of sexual crimes and access to illegal and harmful pornography.

Don’t filters block too much?

Modern filters reliably block pornography while allowing legitimate websites, and can be customized to guard against any harmful web pages, whether they offer illegal material, advocate violence and hatred, or attack computer users with malware and spyware. In addition, useful websites can be unblocked, ensuring that good information is not kept from library patrons. No filter is perfect. However, all filters have numerous options to keep good information open and easily accessed, while blocking illegal pornography.

My library has a policy in place that prohibits patrons from viewing pornography, but they say they don’t need filters to enforce it. Is that enough?

Other alternatives for keeping pornography out of libraries and from children have their own drawbacks.

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Close monitoring of computer users by librarians would be far more intrusive than the use of filtering software, and would risk transforming the role of a librarian from a professional to whom patrons turn for assistance into a compliance officer whom many patrons might wish to avoid.

Moving terminals to places where their displays cannot easily be seen by other patrons, or installing privacy screens or recessed monitors, would not address a library's interest in preventing patrons from deliberately using its computers to view online pornography. To the contrary, these alternatives would make it easier for patrons to do so.

Isn't this a form of censorship?

Not according to the U.S. Supreme Court! In *United States vs. American Library Association* (2003), it ruled that filtering library computers to protect children is not a form of censorship, but a legitimate way to protect children from harmful online material. Additionally, the U.S. Supreme Court has repeatedly held that First Amendment does not include obscenity (see Chaplinsky v. New Hampshire, 1942; Roth v. United States, 1957; Miller v. California, 1973).

Filtering library computers merely puts libraries on the same level as other Internet hotspots, which use filters and other precautions to safeguard their customers from illegal and obscene material. Filtering library computers is not about censorship, but about preserving libraries as an area where people can safely gather and learn, not constantly fear that their children will encounter hardcore obscenity and sexual predators.

How can I know if my library is filtered?

The best way to find out is to ask! Ask for a written copy of the library position regarding filtering on computers: whether they have filtering software in place, whether they monitor computer users for obscene content, what happens if a patron does access pornography, etc. Then, ask whether individuals or librarians can unblock them and for what reason. Ask how well this policy is working: does the library have problems with patrons viewing pornography, performing obscene acts, etc.?

See our handout about what to say to your local librarian.

Isn't it too expensive to install filtering software?

The truth is exactly the opposite. By installing filtering software, public libraries make themselves eligible for E-Rate, a federal program that reduces the cost of providing Internet in libraries nationwide. In addition, filtering software can help reduce costs by blocking websites infected with viruses and malware, which cause expensive damage to library networks.

Our library doesn't have a problem. Why should we worry about filtering?

In all likelihood, if your library does not have filters, patrons are using library computers to access pornography. However, filtering will make sure there isn't a problem in the future. Filters will prevent children from developing a porn addiction by accessing pornography at the library. In addition, with illegal pornography filtered out of library computers, there will be no attraction for sexual predators to frequent the library. The possibility of porn usage, obscene activity, and sexual assaults will be greatly reduced.

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What Does the Law Say About Filters In Schools and Libraries?

State and Local Laws:

Some information can be found here, although this is slightly out-of-date: http://www.ncsl.org/issues-research/telecom/state-internet-filtering-laws.aspx. Your local community may have other laws in place. Contact us for help determining what those are. (grassroots@pornharms.com or 202-393-7245)

Federal Laws:

First, one common misconception people have is that pornography is legal and protected by the First Amendment. The truth is that obscenity (hardcore adult pornography) is prohibited under existing Federal laws. These laws prohibit distribution of hardcore, obscene pornography on the Internet, on cable/satellite or hotel/motel TV and in sexually oriented businesses and other retail shops. Additionally, it is important to understand that obscenity is not protected by the First Amendment. This has been repeatedly upheld by the U.S. Supreme Court. The role of the Federal Government should be, as it has been in the past, to prosecute the major producers and distributors of obscene pornography. However, the U.S. Justice Department is not currently enforcing these laws and for the last 20 years only sporadically enforced them. Thus, illegal, obscene pornography is flooding our nation and the harm is great.

Many people do not understand that obscenity is actually illegal. The American Library Association (ALA), the American Civil Liberties Union (ACLU) and other anti-filtering groups often exploit this common misunderstanding to argue against the use of filters. You should often point out that filters would block obscenity, which is a majority of the hardcore adult pornography accessed on the Internet and likely accessed at your library/school.

For details on federal obscenity laws and U.S. Supreme Court rulings upholding these laws, visit www.WarOnIllegalPornography.com

What is Pornography?

The term “pornography” is a generic, not a legal term. As noted by the Supreme Court in the landmark 1973 obscenity case, Miller v. California, 413 U.S. 15, 20, n.2, the term:
“Pornography” derives from the Greek (harlot, and graphos, writing). The word now means “1: a description of prostitutes or prostitution. 2. a depiction (as in a writing or painting) of licentiousness or lewdness: a portrayal of erotic behavior designed to cause sexual excitement.” Webster’s Third New International Dictionary [Unabridged 1969]...

What is Obscenity?

The term “obscenity” is a legal term, and in Miller v. California, supra the Supreme Court established a three-pronged test for determining whether a “work” (i.e., material or a performance) is obscene and therefore unprotected by the First Amendment. To be obscene, a judge and/or a jury must determine:
First, that the average person, applying contemporary community standards, would find that the work, taken as a whole, appeals to the prurient interest; AND second, that the work depicts or describes in a patently offensive way, as measured by contemporary community standards, “hardcore” sexual conduct specifically defined by the applicable law; AND third, that a reasonable person would find that the work, taken as a whole, lacks serious literary, artistic, political and scientific value. SIDE NOTE: Typical “hardcore pornography” (e.g., a website, DVD or magazine) consists of little if anything more than one depiction of hardcore sex after the other (i.e., it’s “wall-to-wall” sex).
Children's Internet Protection Act:
Additionally, it is important to note that a specific law pertaining to libraries and schools regarding the Internet was passed by Congress in 2000 and was found to be constitutional by the U.S. Supreme Court in 2003. The ALA and the ACLU commonly misinterpret this law and disseminate misleading information to libraries and schools regarding their rights to place filters on computers. You will likely face this.

Background:
The Children’s Internet Protection Act (CIPA) is a federal law enacted by Congress to address concerns about access to offensive content over the Internet on school and library computers. CIPA imposes certain types of requirements on any school or library that receives funding for Internet access or internal connections from the E-rate program – a program that makes certain communications technology more affordable for eligible schools and libraries. In early 2001, the FCC issued rules implementing CIPA.

What CIPA Requires
- Schools and libraries subject to CIPA may not receive the discounts offered by the E-rate program unless they certify that they have an Internet safety policy that includes technology protection measures. The protection measures must block or filter Internet access to pictures that are: (a) obscene, (b) child pornography, or (c) harmful to minors (for computers that are accessed by minors). Before adopting this Internet safety policy, schools and libraries must provide reasonable notice and hold at least one public hearing or meeting to address the proposal.
- Schools subject to CIPA are required to adopt and enforce a policy to monitor online activities of minors.
- Schools and libraries subject to CIPA are required to adopt and implement an Internet safety policy addressing: (a) access by minors to inappropriate matter on the Internet; (b) the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; (c) unauthorized access, including so-called “hacking,” and other unlawful activities by minors online; (d) unauthorized disclosure, use, and dissemination of personal information regarding minors; and (e) measures restricting minors’ access to materials harmful to them.

Opposition to CIPA:
In 2001, the ALA and the ACLU challenged the law on the grounds that the law required libraries to unconstitutionally block access to constitutionally protected information on the Internet. They specifically argued that “no filtering software successfully differentiates constitutionally protected speech from illegal speech on the Internet.” In 2003, upon appeal to the U.S. Supreme Court, the law was upheld as constitutional and that it was permissible to install filters on all school and library computers, and further held that it was constitutional to mandate libraries receiving specific funding to have filters installs.

The ALA and ACLU often argue that it is against a person's First Amendment rights to have to ask a librarian to remove a filter for a desired search. However, this is exactly what the High Court said was sufficient in instances where an individual wanted to access material blocked by a filter. Adults may ask the librarian to unblock material. This is an important added barrier to individuals viewing indecent material in our schools and libraries. The mere need to ask would deter most individuals from attempting to view such material, and the requests would largely remain for material that is reasonable or for a specific purpose other than gratifying one's personal desire to view porn.

Opinion Article: Libraries need not expose kids to porn
By ERNEST ISTOOK / The Heritage Foundation

Librarians can be strict. In Seattle, for example, you can't eat, sleep, go barefoot or be noisy in a public library. You can, however, "watch graphic porn on a public computer in front of kids," the Seattle Post-Intelligencer recently reported.

You don't need to be a literary expert to figure out that making computer porn available is not the highest and best use of limited public resources. And certainly patrons, whose tax payments keep the doors open, deserve better than to have their children exposed to hard-core pornography.

As a former chairman of a metropolitan library system, the story from Seattle appalled me. But it didn't surprise me at all.

Sadly, Seattle is following a strategy promoted by the American Library Association, which regards pornography as just a routine aspect of protecting the First Amendment. But they generally omit an important qualifier: When taxpayers are paying for the computers they have a right to insist that children are protected.

I know because I authored the federal law on this, and it has passed muster with the Supreme Court. In 2003, the high court upheld The Children's Internet Protection Act (CIPA) in United States v. American Library Association. Earlier federal attempts to address the problem had all been rejected by the court.

The 6-3 ruling affirmed the constitutionality of CIPA, which requires public schools and libraries that receive Internet-related federal funds to use blocking filters to restrict access to pornography.

The Supreme Court agreed that the Internet is "no more than a technological extension of the book stack." The justices wrote that each public library has "its traditional role in identifying suitable and worthwhile material; it is no less entitled to play that role when it collects material from the Internet. ... Most libraries already exclude pornography from their print collections because they deem it inappropriate for inclusion. ... It would make little sense to treat libraries' judgments to block online pornography any differently."

Because "libraries cannot possibly segregate, item by item, all the Internet material that is appropriate for inclusion from all that is not," the Supreme Court agreed that using filters to exclude categories of websites is appropriate and constitutional.

Adults who so request may have the filter temporarily turned off, but this intervention gives librarians the opportunity to make sure no one is using an unfiltered computer in an area open to children and other patrons.

Although Congress' other approaches had been overturned, connecting this filtering requirement to receipt of federal funds was key to gaining Supreme Court approval, because use of government funds is commonly allowed to include restrictions.

Although many libraries now apply CIPA, others -- encouraged by lawyers for the American Library Association -- deliberately reject federal funds to avoid the requirement of filtering patrons' access to the Internet. Unconfirmed reports claim a third of our public libraries are using this tactic. They should not be criticized for not tapping into the federal Treasury, but their motivation is worrisome.

These libraries still rely upon public funds from the state or local level. Lawmakers who provide that funding have an opportunity to protect children. States and local governments can do so if they use CIPA as their model. They can require that schools and libraries funded by local and state governments must protect children from Internet porn by installing these software filters. No such filter is perfect, but they protect children and they help parents who want libraries to be safe places for their entire family.

Nobody should have the Seattle experience of shocking their children, nor of having librarians who are indifferent to the problem.
INSIDE EDITION INVESTIGATES: Who's Lurking In Your Library?

INSIDE EDITION found men watching hardcore pornography – not it in the privacy of their homes or some sleazy adult store - they were doing it in a public library. And library patrons were shocked.

"That is completely absurd. Nobody should be doing that in public", said one man. Another woman – who happens to be librarian said, "It offends everyone. And it's something that should not be done in public."

But believe it or not, it's perfectly legal and even permitted in many libraries across the country.

At Chicago's central library, The Harold Washington Library Center, we saw security guards patrolling the library's computer center. But that didn't seem to stop many men from watching graphic adult videos in the large computer room open to anyone.

We found one guy even using his own camera to record the hardcore action. He knew that no one was going to stop him.

But what if children are nearby? It didn't seem to matter to one guy we observed watching triple X material just a few feet away from a young child sitting on the lap of her aunt.

We approached him outside the library and asked, "Did you realize that there was a 4-year old girl just two computers away when you were watching adult videos?" He didn't respond and ran away.

Luckily, the child didn't see the adult material. After her aunt viewed our video of the man watching the hardcore porn she was shocked. "Oh my god, at the library? Why? The library is a family place. That's very disturbing," she said.

We found another guy at the Los Angeles Library's downtown branch in Chinatown watching porn - right next to two young children.

When we asked him, "Do you realize there were children right next to you while you were watching the adult videos?"

All he said was, "No...No...No...No." and walked away.

Many libraries say they allow visitors to view anything on the internet, even pornography, as long as the websites are legal. Some libraries, like Chicago, attach privacy screens to block the view of others, but we found those screens don't always work.

Online pornography is just one of the disturbing issues public libraries are grappling with. Inside Edition reviewed reports of incidents at libraries in eleven large cities for two years covering 2010-2011 and what we found may surprise you.

In Austin, Texas, there were 612 incidents of harassment and sexual harassment.

In Milwaukee, Wis. there were 446 reports of disorderly conduct.

In Indianapolis, Ind. There were 148 reports of inappropriate behavior.

Tyler Grace is one guy you probably wouldn't want to see in your library. He was accused of performing a lewd act in a library in Maine after sitting next to an unsuspecting woman.

She described what happened, "I actually heard him unzip his pants, so, of course, I looked over because it was odd to me and he actually exposed himself, as soon as I noticed I immediately jumped up."

Those charges were dismissed when Grace entered a psychiatric facility, but now police say he's done it again in Massachusetts. He was not only charged with a lewd act but also assaulting a woman. We caught up with him as he was leaving a court hearing in Massachusetts.

"Tyler, did you assault a woman in a library?," we asked. "Never. I've never assaulted anyone in my life. I don't even know what the term means," Grace insisted.
INSIDE EDITION INVESTIGATES: Who's Lurking In Your Library?  

When asked if committed a lewd act in the library, he replied, "No, I did not."

Experts say you shouldn't be paranoid, but while enjoying the vast resources of your public library, you should always stay on your guard.

The Chicago Public Library Director of Marketing Ruth Lednicer gave this statement:

The Chicago Public Library provides free unfiltered access to the Internet to its patrons, as part of its mission to offer equal access to information in this digital age. In order to protect the privacy of all patrons, many of whom are filling out job applications, government forms, or other online work requiring personal information, each Adult Computer in the library has been installed with a privacy screen, which prevents patrons from seeing what the person next to them is viewing. Similarly, we do not allow photographs or videos to be taken in the computer areas without the explicit permission of the patrons, so as to protect their private information. The Chicago Public Library provided 2.8 million one-hour Internet sessions to the public last year, the majority of which were to Chicagoans doing research, emailing, filling out forms for school or financial aid, and looking and applying for jobs.

The Chicago Public Library takes every precaution to stop children from viewing undesirable material on computers. In all our locations, Children's Computers and Adult Computers are kept in separate areas and adults are not allowed on computers in the Children's areas. The Children's Computers at the Harold Washington Library Center are on the second floor, one floor away from the Adult Computers in the third floor Computer Commons. Children's Computers do not have privacy screens, and are set up so that librarians can see what children are viewing on the computer. Librarians work closely with children to make sure they are using the Internet appropriately and if children are visiting websites which are not suitable, they are redirected to appropriate sites.

The Library has not yet found any filter that will effectively block only objectionable images. Existing filters block primarily text, including words associated with legitimate research information such as health care facts, not images. Thousands of new websites and blogs are created every week, including some which contain images many would find objectionable. After many years of lobbying for them to do so, the Library was happy to see ICANN (Internet Corporation for Assigned Names and Numbers) approve the creation of the .xxx domain in 2011. We now look forward to enforcement of this domain for pornographic sites, as access to sites with this domain can easily be blocked.