

TO: ALA Council

DATE: June 18, 2024

RE: (select one)

ACTION REQUESTED
INFORMATION

REPORT

ACTION REQUESTED/INFORMATION/REPORT: (add below)

Report: ALA Intellectual Freedom Committee (CD#19)

Action requested from Councilors is to cast their vote to: (if applicable)

Approval of Prisoners' Right to Read: An Interpretation of the Library Bill of Rights (CD#19.1)

ACTION REQUESTED BY: (add committee name)

The Intellectual Freedom Committee

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**ALA INTELLECTUAL FREEDOM COMMITTEE
REPORT TO COUNCIL
2025 LLX MEETING
PHOENIX, ARIZONA**

The ALA Intellectual Freedom Committee (IFC) is pleased to present this update of its activities and the activities of the Office for Intellectual Freedom since the ALA's Annual Meeting held in San Diego in June 2024:

REVIEW OF INTERPRETATIONS OF THE LIBRARY BILL OF RIGHTS

Throughout the fall, the members and liaisons of the Intellectual Freedom Committee have been reviewing Interpretations of the Library Bill of Rights in preparation for the publication of the eleventh edition of the Intellectual Freedom Manual. In October, the committee formed working groups to revise the interpretations deemed to be in most need of review and revision.

As each working group completes a draft revision of an interpretation, the IFC reviews and approves the draft. Once the Intellectual Freedom Committee approves the draft revisions, they are circulated to all divisions, roundtables, and committees, with a request for review and input. The IFC addresses concerns and suggestions for change prior to submitting the revised interpretations to Council for final approval.

The review and revision of the following Interpretations and policy documents are currently in progress:

- Restricted Access to Library Materials
- Access to Resources and Services in the School Library
- Labeling Systems and Rating Systems
- Policy on Governmental Intimidations
- Access to Library Resources and Services for Minors
- Diverse Collections
- Equity, Diversity, and Inclusion
- Access to Digital Resources and Services

The review and revision of the Prisoners' Right to Read Interpretation of the Library Bill of Rights is completed and is submitted as an action item for Council's approval.

IFC PRIVACY SUBCOMMITTEE

Since August 2024, The ALA Intellectual Freedom Committee's Privacy Subcommittee has been holding monthly meetings via Zoom, along with utilizing ALA Connect for asynchronous discussion and coordination. Per our charge, we monitored ongoing privacy developments, discussing topics like the American Privacy Rights Act (APRA) and the Kids Online Safety Act (KOSA), artificial intelligence, and interactions with law enforcement.

One ongoing project for the subcommittee is reviewing the privacy sections of the ALA website for broken links, outdated information, and clarity of content. Members of the subcommittee have also participated in helping to revise and review materials for the new edition of the ALA Intellectual Freedom Manual. In response to a request from the IFC, a guidance document is being drafted on the privacy rights of book challengers in public libraries.

Subcommittee members attended events at the National Summit on Democracy, Intellectual Freedom, and Book Censorship, and have been selected to participate at the National Forum for Privacy Literacy Standards and Competencies in March 2025.

In conjunction with members of the Rainbow Round Table, Privacy Subcommittee members hosted a free online seminar through ALA Continuing Education on protecting the privacy and information access of trans patrons in libraries. Members of the subcommittee submitted programming proposals to conferences highlighting the importance of the privacy rights of minors, in collaboration with the Intellectual Freedom Round Table. Partially due to a request from a subcommittee member, Office for Intellectual Freedom staff are presenting a program on handling Freedom of Information Act (FOIA) requests at LibLearnX 2025 that includes information on protecting patron data.

BOOK CHALLENGES AND CENSORSHIP

The beginning of the school year saw a surge in reported attempts to ban or restrict books, programming, and other library resources in schools and public libraries. From September 1, 2024, through November 30, 2024, librarians, educators, and members of the public reported 342 attempts to ban or restrict library resources to the Office for Intellectual Freedom – four challenges per day. 259 of these challenges demanded removal of 1,372 books from school and public libraries, with 1,036 of those books representing unique titles.

Most challenged and censored books targeted by censors remain titles that include content, themes or characters reflecting LGBTQIA+ and BIPOC identities, or that were written by LGBTQIA and BIPOC authors. Of the 1,372 books challenged during the fall quarter, 894 titles were challenged for LGBTQIA+ content and 752 titles were challenged for including EDI content.

The Office for Intellectual Freedom continues to track and respond to the threats of violence, loss of employment, or criminal prosecution, offering targeted library staff direct, confidential support when requested. Sixty such incidents were reported to OIF during 2024.

Documenting book challenges, censorship, and incidents of harassment and discrimination provides essential data for research, advocacy, and policy development that supports intellectual freedom. All ALA members are urged to report censorship to the Office for Intellectual Freedom and share documentation of library censorship whenever possible. OIF is currently asking all state chapters, divisions, and roundtables to share all documentation of library censorship that occurred in 2024. Reports are confidential and can be sent to oif@ala.org.

THE OFFICE FOR INTELLECTUAL FREEDOM

The Office for Intellectual Freedom continues to prioritize essential confidential support for library workers, school librarians, and community members addressing book bans and other challenges in their communities, while engaging in advocacy and educational activities that meet members' needs and uphold ALA's core values of intellectual freedom and privacy.

WRITERS' WORKSHOPS: To address members' need for self-care and reflection during this time of unprecedented challenges and stress, OIF has partnered with the Writers Guild Initiative (WGI) to sponsor writers' workshops that will pair librarians with established film and television writers. The workshops will provide participating librarians the opportunity to write and create with the support of skilled, professional writers. Four workshops will be held in February and March of 2025, and participants will be randomly selected from the pool of applicants.

The workshops are administered through the WGI's Helen Deutsch Writing Workshops initiative and supported by a grant from the Freedom to Read Foundation. Each workshop cohort will be led by mentors who are accomplished professional writers who have innovative teaching styles and are exceptionally skilled at their craft. They include Pulitzer prize-winners, Emmy and Peabody award-winners, and MacArthur and Guggenheim fellows. The goal for WGI and OIF is to provide opportunities for the selected library staff to employ writing to reflect on their experiences, share insights, identify a path forward, and make their voices heard.

The Office for Intellectual Freedom will also partner with the Intellectual Freedom Round Table (IFRT) to sponsor a cohort of four Emerging Leaders, who will be working on designing and implementing a survey that will identify and document intellectual freedom, privacy, and right-to-read Education in ALA-accredited LIS programs.

The staff of the Office for Intellectual Freedom continue to advance their ongoing initiatives in support of the office's mission to create a complete program of intellectual freedom for ALA and its members:

INTELLECTUAL FREEDOM HELPLINES: The State Intellectual Freedom Helpline initiative is establishing pilot challenge support programs in states and regions over the next two years that will operate a confidential reporting system that will help connect those experiencing censorship attempts with professional support, in-state peers, and referral to ALA OIF as appropriate. In August 2024, the Office for Intellectual Freedom awarded ten grants in the amount of \$10,000 to ten state and regional chapters to support their participation in the Helplines initiative.

Over the weekend of October 25, 2024, project leaders from each state met at ALA's Chicago headquarters for an initial training session, where they were provided with resources to establish their Helpline. These include tools for collecting challenge reports and compiling data; information on recruiting, managing, and supporting volunteers; and sessions on promoting helplines and self-care. Training and presentations were provided by staff and member leaders from the Office for Intellectual Freedom, the Chapter Relations Office, the American Association of School Librarians, and the Public Policy and Advocacy Office.

The Intellectual Freedom Helpline grants are made possible through the generous support of the Acton Family Giving and critical program support is provided by the Mellon Foundation. OIF Assistant Director Eric Stroshane is leading this initiative.

LAW FOR LIBRARIANS / LAWYERS FOR LIBRARIES: The Law for Librarians initiative is going strong following its initial Train the Trainers convening held in May, 2024 in Chicago, where eighty-nine library workers from forty-five states received in-depth legal training and committed to provide legal information and training to library workers, library board members, trustees, educators, and other friends of the libraries in their home states and communities.

Law for Librarians trainers have since conducted more than eighty educational events across thirty-seven states on topics including First Amendment law and libraries, censorship, book bans, speech in libraries, use of library meeting rooms, children's rights to access information, digital and government surveillance in libraries, library privacy, copyright issues in libraries, and legal issues related to artificial intelligence in libraries. Trainers have also presented on library law topics at state and national library association conferences, board of trustee meetings, continuing legal education programs, and other conferences.

OIF is also developing a parallel initiative, Lawyers for Libraries, which will create a national network of lawyers who are knowledgeable about legal issues arising in libraries, and who are willing to offer counsel and assistance to library workers facing intellectual freedom and other legal challenges. A free-standing website, lawyersforlibraries.org, has been established and OIF is receiving inquiries from interested lawyers through that portal. The website will be expanded to include case law and other legal information and provide opportunities for interested lawyers to meet and network. OIF is also planning a Continuing Legal Education event for lawyers in 2025 on libraries and the law.

The American Library Association's Law for Librarians (L4L) initiative is supported through three-year grants from IMLS and the Mellon Foundation. The initiative is also supported, in part, by Acton Family Giving and the Gill Foundation.

BOOK RESUMÉS: Created in collaboration with major publishers and with the support of professional review resources like Booklist, Book Résumés remain a popular and well-received resource for librarians, library workers, teachers, and members of the public who want to support access to books targeted by censors. Each book résumé summarizes the book's significance and educational value and includes a synopsis, professional reviews, awards and accolades, and information about how a title has been successfully retained after a demand to censor the book. At present, there are 561 titles available on the Book Résumés website, with additional titles added on a regular basis. Housed on the Unite Against Book Bans website, the Book Résumés has had 372,154 page views and 84,146 visitors since its launch in March 2024.

BANNED BOOKS WEEK: OIF once again coordinated the annual observance of Banned Books Week., which was held **September 22-28, 2024**, highlighting the theme "Freed Between the Lines." Filmmaker and advocate Ava DuVernay served as honorary chair for Banned Books Week, and Julia Garnett, a student activist from Tennessee, was selected as the Youth Honorary Chair.

In addition to providing libraries and library workers with posters, bookmarks, web graphics, coloring sheets, videos, and other support resources to support programming and advocacy, OIF worked with other ALA offices and divisions to present a robust set of programs celebrating the freedom to read. They included:

- Behind the Bans: How Censorship Impacts Our Communities
- Banned Books 101: What Library Boards & Trustees Need to Know (with United for Libraries & the Freedom to Read Foundation)
- Banned Books Week and Beyond: Actionable Tools for Libraries, Booksellers, and Authors (with Unite Against Book Bans)
- Beating Book Bans: Perspectives on Fighting Censorship (with Unite Against Book Bans)
- Leading Change: Youth Fighting Book Bans (with Banned Books Week Coalition)
- Honorary Chair Program with Ava DuVernay and Julia Garnett (with Banned Books Week Coalition)

In addition, Unite Against Book Bans collaborated with author Jody Picoult to engage readers attending events at Picoult's book tour. Picoult invited local librarians to join her on stage to talk about the dangers of censoring library books due and the accompanying rise in harassment and threats to library staff. Unite Against Book Bans also supported "The Banned Wagon," a bus tour organized by Penguin Random House, First Book, and Little Free Library that stopped at

bookstores and libraries in nine American communities impacted by book banning to promote the freedom to read.

Banned Books Week concluded with “Let Freedom Read Day,” on September 28, a day of action that asked persons to take one five minute action to halt book bans.

UNITE AGAINST BOOK BANS

The Intellectual Freedom Committee and the Office for Intellectual Freedom continue to work cooperatively with the Office of Public Policy and Advocacy, Chapter Relations, the ALA Policy Corps’ intellectual freedom cohort, and the Communications and Marketing Office to counter the unprecedented censorship campaign being conducted by partisan political advocacy groups through [Unite Against Book Bans](#), ALA’s ongoing grassroots advocacy initiative and “big tent” coalition of partners committed to defending the freedom to read.

As of November 30, 2024, there are 249 Unite partner organizations, including 115 national and 134 state/local organizations. Since September 1, nine new partners were added. New national partners include Annie's Foundation, Jewish Council on Public Affairs, Libro.fm, and Phi Beta Sigma Fraternity, Inc. New state and local partners include The Beatrice Martin Foundation, Florida Youth Action Fund, Golden State Readers, Wernersville Public Library, DAYLO: Diversity Awareness Youth Literacy Organization, and LIM College's Adrian G Marcuse Library.

In addition to sponsoring or supporting multiple programs for Banned Books Week, Unite Against Book Bans organized the Freedom to Read Community Day of Action on Saturday, October 19, 2024, with the American Library Association, the Association for Rural and Small Libraries, Brooklyn Public Library, The New York Public Library, Queens Public Library, in collaboration with libraries and advocates nationwide. Representatives from the ALA’s Policy Corps Cadre on Book Banning and AASL also served as advisors. Unite published a supporting webpage which provided libraries, booksellers, and other community groups access to event planning ideas, customizable promotional materials, a social media toolkit, and more.

Organizations in forty-three states and the District of Columbia signed up through Unite Against Book Bans to join the historic day of action, resulting in more than 175 events around the country.

Unite Against Book Bans continues to provide support to individual advocates and coalition partners, including directed calls to action that encouraged UABB supporters and local residents to communicate with decision makers to share their support of intellectual freedom in libraries. These calls to action were sent on behalf of community organizers, library alliance groups, partner organizations, and more and targeted over twenty-five communities across the country.

In closing, the Intellectual Freedom Committee thanks the division and chapter intellectual freedom committees, the Intellectual Freedom Round Table, the unit liaisons, and the members of the OIF staff, recognizing the tireless work of the staff of the Office for Intellectual Freedom and the Freedom to Read Foundation. We thank Deborah Caldwell-Stone, Eric Strohane, Betsy Gomez, Joyce McIntosh, Karen Gianni, and Sarah Lamdan for their support of our members and colleagues who are fighting censorship and other challenges to intellectual freedom in their communities.

ACTION ITEMS

The Intellectual Freedom Committee moves the adoption of the following action item:

CD # 19.1, “Prisoners’ Right to Read: An Interpretation of the *Library Bill of Rights*”

Respectfully Submitted,

ALA Intellectual Freedom Committee

E. Ray James, Chair

Karen E. Downing

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Glen Benedict, Chair, IFC Privacy Subcommittee

Prisoners' Right to Read: An Interpretation of the Library Bill of Rights

The American Library Association strongly believes in protecting intellectual freedom for all, regardless of age or location. This includes people held in:

- Jails
- Prisons
- Detention centers
- Juvenile facilities
- Immigration centers
- Prison work camps
- Segregated units within any facility
- Any other type of facility—whether public or private.

As Supreme Court Justice Thurgood Marshall once wrote:

When the prison gates slam behind an inmate, he does not lose his human quality; his mind does not become closed to ideas; his intellect does not cease to feed on a free and open interchange of opinions; his yearning for self-respect does not end; nor is his quest for self-realization concluded. If anything, the needs for identity and self-respect are more compelling in the dehumanizing prison environment.¹

In a democracy, everyone needs open access to various kinds of information:

- social
- political
- legal
- economic
- cultural
- scientific
- religious

Having access to the same information as those outside of a carceral facility is essential to a successful transition to freedom. Learning to thrive in a free society requires access to a wide range of knowledge. Suppression of ideas does not prepare incarcerated people of any age for life in a free society. Even those who will never leave prison require access to books and information in any format, so that they may have a window into the world.

Just because material contains unpopular views or is considered offensive doesn't mean it should be censored. Censorship is when authorities decide to block certain ideas or viewpoints. Unlike censorship, selection is a process of inclusion. It's about seeking out a diverse range of ideas in any format. The carceral library collection, like all library collections, should reflect the needs of its community.

Carceral libraries and their staff may be required to prohibit materials that promote illegal acts or harm. These restrictions are because of the following:

- Federal, state, or local laws
- Administrative rules
- Court decisions

Staff should only restrict items posing a real and imminent risk to safety and security. These limiting factors may reduce available materials. However, following the *Library Bill of Rights* and its interpretations can help minimize the impact.

Use these principles to serve people who are incarcerated or detained. They apply to everyone, regardless of their citizenship status or if they've been convicted of a crime.

- **Collection Management:** Libraries should follow a written policy for how to maintain their collections. Library workers and carceral administrators should agree on the policy. The policy should align with the *Library Bill of Rights* and its interpretations.
- **Challenges Procedures:** If someone challenges a library item, the library should have written procedures to follow. This includes a policy that explains what makes an item unacceptable.³
- **Materials Selection:** Library workers should select materials based on the people they serve. This means choosing items that reflect their backgrounds, information needs, interests, and diverse cultural values.
- **Acquisition Independence:** Library workers should be able to acquire materials that meet written selection criteria. Carceral agency review should not be required during acquisition. Material selection should not be limited to a pre-approved list of materials or vendors.
- **Language Diversity:** Library workers should provide materials to meet the information needs of people who read in languages other than English.
- **Findability:** Library workers should have enough support to make it easy for people to find library resources.
- **Age:** Incarcerated children and youth should have access to a wide range of fiction and nonfiction. Age is not a sufficient reason for censorship.⁴

- **Disability Access:** Equitable access to information should be provided for people with disabilities.⁵
- **Non-traditional Bindings:** Libraries should avoid banning materials with non-traditional bindings. The exception would be if they pose real and imminent risk to safety and security.
- **Sexual Content:** Material with sexual content should not be banned unless it violates state or federal law.
- **Digital literacy:** Digital literacy skills are crucial in society today. Libraries should offer training to help incarcerated people learn how to become digitally literate⁶.
- **Digital access:** Incarcerated people should have access to digital services and materials at no cost. Incarcerated people should have controlled access to digital legal resources. These legal resources should include legal databases. Access to the internet should only be limited as required by law or sentencing restrictions.
- **External Material Access:** Incarcerated or detained people should be able to acquire materials from outside of the carceral facility.

When free people, through judicial procedure, segregate some of their own, they incur the duty to provide humane treatment and essential rights. Among these are the rights to read and to access information. The right to choose what to read is crucial, and the suppression of ideas is fatal to a democratic society. The denial of intellectual freedom—the right to read, to write, and to think—reduces the humanity of those segregated from society.

¹*Procunier v Martinez*, 416 U.S. 428 (1974)

² 28 CFR 540.71(b): “The Warden may not reject a publication solely because its content is religious, philosophical, political, social or sexual, or because its content is unpopular or repugnant.”

³ “[Challenged Resources: An Interpretation of the *Library Bill of Rights*](#),” adopted June 25, 1971 by the ALA Council; amended July 1, 1981; January 10, 1990; January 28, 2009; July 1, 2014; and January 29, 2019.

⁴ “[Access to Library Resources and Services for Minors: An Interpretation of the *Library Bill of Rights*](#),” adopted June 30, 1972, by the ALA Council; amended July 1, 1981; July 3, 1991; June 30, 2004; July 2, 2008 under previous name "Free Access to Libraries for Minors"; July 1, 2014; and June 25, 2019.

⁵ “[Services to People with Disabilities: An Interpretation of the *Library Bill of Rights*](#),” adopted January 28, 2009, by the ALA Council under the title "Services to Persons with Disabilities"; amended June 26, 2018.

⁶ A person who has the ability to use information and communication technologies to find, evaluate, create, and communicate information, requiring both cognitive and technical skills. Adopted June 29, 2010, by the ALA Council; amended July 1, 2014; and January 29, 2019.