

**INTELLECTUAL FREEDOM  
APPLYING THE PRINCIPLES**

**NEW HAMPSHIRE LIBRARY  
TRUSTEES ASSOCIATION  
2013**

# INFORMATION IN A FREE SOCIETY

## ***Doe v. City of Albuquerque***

- Right to receive information is fundamental to a free society.

# RIGHT TO RECEIVE INFORMATION

## ***Sund v. City of Wichita Falls***

- Allowing removal of books on petition of 300 library card holders violates the right to receive information for both adults and children.

# THE LIBRARY'S ROLE

## ***Sund v. City of Wichita Falls***

- Library is the focus of enforcement of the right to information.

# CENSORSHIP

## ***ACLU-Florida v. Miami-Dade County***

- Right to receive information is fundamental to a free society.

# CENSORSHIP

## ***Doe v. City of Albuquerque***

- Right to receive information includes at least some access.

# CENSORSHIP

## ***Doe v. City of Albuquerque***

- Library is a public forum with a designated purpose.

# POLITICAL INFLUENCE

## ***Board of Education v. Pico***

- Acquisition and removal of materials must comply with constitutional values.



# POLITICAL INFLUENCE

***Salvail v. Nashua Board of Education***

**Officials may not impose  
intellectual orthodoxy.**

# POLITICAL INFLUENCE

## ***ACLU-Florida v. Miami Dade County***

- Library intellectual freedom must be based on sound professional judgment.

# POLITICAL INFLUENCE

## ***Board of Education v. Pico***

- Denial of access cannot be based on official disagreement with ideas.

# POLITICAL INFLUENCE

## ***ACLU-Florida v. Miami Dade County***

- Inclusion of materials does not imply official approval of the content.

# POLITICAL INFLUENCE

## ***ACLU-Florida v. Miami Dade County***

- Library books are informational not instructional

# INTERNET – A SPECIAL CASE

## *United States v. American Library Association*

- Internet access is NOT within traditional designated public forum

# INTERNET – A SPECIAL CASE

## *United States v. American Library Association*

- Internet content is not governed by usual acquisition and challenge policies

# INTERNET – A SPECIAL CASE

## *United States v. American Library Association*

- Blocking is a reasonable limitation if procedures allow for appropriate access.



# INTERNET – A SPECIAL CASE

## ***Ashcroft v. ACLU***

- *Limits on access must be narrowly drawn and allow for appropriate adult access.*
- *Available technology for blocking and filtering must be employed.*