

December 9, 2020

Board of Control
Lincoln Parish Library
910 N. Trenton St.
Ruston, LA 71270

Re: Removal of LGBTQ books

Dear Board members:

As an organization dedicated to protecting the freedom to read, the First Amendment, and high quality public education, the National Coalition Against Censorship is deeply concerned by the removal of children's books with LGBTQ themes from the Lincoln Parish Library children's department and the restriction of access to them solely because of complaints about their content. The library's action violates its own regulations, raises serious constitutional concerns, and harms members of the community the library serves.

Restricting access to books as a result of the objections of individuals contravenes library policy for the selection of materials, which states that "while anyone is free to personally reject materials that they may consider offensive, one cannot exercise this right of censorship to restrict the freedom of others," and that "[o]nly parents and guardians have the right and responsibility to guide and direct the reading, listening, and viewing choices of *their own* minor children." (Emphasis added.) The policy clearly, and rightfully, prohibits individual objectors from limiting the reading choice of all readers.

It is our understanding that the removal of the books was made at the direction of two library board members who were acting on their own authority. If true, they violated a Louisiana law that requires a quorum before action can be taken.

The action of the library, undertaken for the sole reason that some members of the community don't want books on LGBTQ issues on the shelves, raises serious constitutional concerns. Singling LGBTQ books out and restricting access to them constitutes viewpoint based censorship and is likely to expose the library to legal liability. In *Sund v. City of Wichita Falls*, 121 F.Supp.2d 530 (2000), a case involving efforts to remove LGBTQ books from the children's section of the library, the court held that moving the books "unconstitutionally burdens the First Amendment rights of browsing Library patrons," by creating "barriers to their access to fully-protected information.," *Id.* at 551.

In addition, the court found that "[t]here simply is no interest, let alone a compelling one, in restricting access to non-obscene, fully-protected library books solely on the basis of the majority's disagreement with their perceived message.," *Id.* at 552, and that moving the books

“unconstitutionally confer[red] a ‘heckler's veto’ on the complaining patrons,” *Id.* at 549. As the court observed, parents who do not wish their children to read such books can restrict their own children's reading. However, they have no right to interfere with other childrens’ access to those books. Your own policy, which was not followed in this case, supports this.

In the years since *Sund v. City of Wichita Falls*, there have been several attempts to place restrictions on children’s LGBTQ books in libraries. Only one of those libraries agreed to restrict the books. In that case, an ACLU lawsuit forced the library to return the books to the children’s section.

Restricting access to LGBTQ books is not only unconstitutional. It is harmful to LGBTQ youth, who are bullied and suffer from depression and attempt suicide at higher rates than other students. LGBTQ books play a crucial role in educational efforts to encourage respect for differences. As the ACLU noted in its lawsuit, “Placing the book behind a library desk not only makes the book more difficult to access, but also places a stigma on the book and any students who wish to read it. The school library should serve the needs of the entire school community instead of marginalizing the families of students with same-sex parents as something that is dirty and shameful.”

We urge the board to take immediate corrective action by returning the books to the shelves where they belong.

Thank you for your attention to this important issue.



Christopher Finan
Executive Director
National Coalition Against Censorship

Co-signed by: GLSEN

Cc: Dr. Augusta A. Clark, Chair
Dr. David Gullatt, Vice Chair
Mary Jo Cooper, Trustee
Sandra Dupree, Trustee
Dr. Deborah Holliman, Trustee
Diana Humphries, Trustee, Friends Liaison
Charles Penuell, Trustee
Hazel Hunter, Lincoln Parish Police Jury Ex-Officio

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