

NATIONAL COALITION AGAINST CENSORSHIP

KIDS' RIGHT TO READ

April 1, 2025

Board of Directors
Alabama Public Library Service
6030 Monticello Drive,
Montgomery, AL 36117

Dear Members of the Board,

The National Coalition Against Censorship is an alliance of national nonprofit groups dedicated to protecting freedom of expression. We are writing out of concern that the Alabama Public Library Service (ALPS) has suspended state funding from the Fairhope Public Library.

According to media reports,¹ the Fairhope Public Library received complaints from parents about books they considered to be obscene or harmful to minors. The library responded by revising its policies on sexually explicit materials for minors and relocating the young adult section. Despite these efforts, the library board believes that these actions are insufficient, and the library remains in violation of Rule 520-2-2-.03,² which requires libraries to "ensure library sections designated for minors under the age of 18 remain free of material containing obscenity, sexually explicit, or other material deemed inappropriate for children or youth." As a result, the state has withheld \$42,000 in funding from Fairhope Public Library.

This is potentially problematic because, as you know, very few books are legally obscene or "harmful to minors" under Alabama law. A book cannot be obscene unless the book, "taken as a whole, lacks serious literary, artistic, political, and scientific value."³ Similarly, a book cannot be "harmful to minors" unless it lacks those criteria as to minors. It is very unlikely that professional librarians have purchased books which meet either of those criteria. Obviously, books that have passed the rigorous selection process for inclusion in public libraries have value for older minors, and by default should be considered valuable to the library community.

Furthermore, labeling these books as inappropriate does not obviate or eliminate your obligation to follow your own procedures for book challenges, nor to follow your constitutional duties under the First Amendment.

¹Sharp, John. "From Compliance to Defunding: The Case over Fairhope's Library Creates Confusion." AL.com, 21 Mar. 2025, www.al.com/news/2025/03/from-compliance-to-defunding-the-case-over-fairhopes-library-creates-confusion.html.

²Rule 520-2-2-.03 - Library Establishment, Policy and Service Requirements. 15 July 2024, admincode.legislature.state.al.us/administrative-code/520-2-2-.03.

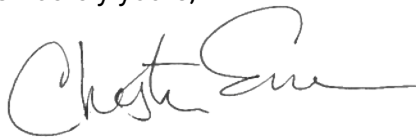
³ Alabama Code Title 13A. Criminal Code. codes.findlaw.com/al/title-13a-criminal-code/al-code-sect-13a-12-200-1/.

While not every book is right for every reader, the role of libraries is to allow all community members to make choices according to their own interests, experiences, and family values. However, no parent, student or community member may impose their views, values and interests on others by restricting an entire community's access to particular books.

For these reasons, we urge you to restore funding to the Fairhope Public Library. Additionally, if any books have been removed from library shelves, we recommend that you return them and keep them there unless and until a committee of professionals and community members determines that they should be removed pursuant to a proper challenge procedure.

Thank you for your time and attention to this matter.

Sincerely yours,



Christine Emeran
Youth Free Expression Program Director
National Coalition Against Censorship

Co-signed by: American Booksellers for Free Expression
The Authors Guild
Children's and Young Adult Books Committee, PEN America
PEN America

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