

National
Coalition
Against
Censorship



April 28, 2009

West Bend Common Council
City of West Bend
1115 S. Main Street
West Bend, Wisconsin 53095

Dear Members of the West Bend Common Council,

We write to oppose your recent decision not to reappoint four members of the Library Board because of their views. We also oppose efforts to restrict access to books for young adults in the West Bend Community Library.

According to newspaper reports, the Common Council voted not to approve the Mayor's recommendation to reappoint volunteers Tom Fitz, Mary Reilly-Kliss, James Poulos and Alderman Nick Dobberstein to the Library Board because the majority of Council members disagreed with library board members' viewpoints. According to *The West Bend Daily News*, Alderman Terry Vrana said he voted to remove four members of the Library Board because he "disagree[s] with them" and objects to "their ideology." The role of a public library and its board is to serve the entire community and to evaluate books and other library materials on the basis of objective criteria. By removing half of the members of the library board, the Common Council is imposing its opinions on the rest of the community, threatening free speech in West Bend.

In addition, we understand that members of the West Bend Citizens for Safe Libraries, led by Ginny and Jim Maziarka, have objected to *The Perks of Being a Wallflower*, *The Geography Club*, and other young adult novels, as well as non-fiction books for teens on sexuality and sexual health, such as *Deal with It! A Whole New Approach to Your Body, Brain, and Life as a gURL* because they are "pornography." The group has also objected to a portion of the library's website that recommends books about homosexuality that are written for young adults.

The Constitution prohibits a public library from censoring material because some people find it offensive or distasteful. As many courts have noted, the public library's role is to serve the entire community, not to reflect or cater to any particular viewpoint. For example, in *Sund v. City of Wichita Falls* (N.D. Tex., 2000) the court struck down a library's petition system that allowed "any special interest group to suppress library materials on the basis of their content," observing that the system "actually facilitates an infinite number of content- and viewpoint-based speech restrictions." As in West Bend, *Sund v. City of Wichita Falls* concerned complaints about literature with homosexual themes, including *Daddy's Roommate* by Michael Willhoite and *Heather Has Two Mommies* by Leslea Newman.

None of the challenged books is legally obscene. To be obscene, material must lack serious literary, artistic, political, or scientific value. The critical acclaim the books have received testifies to their educational value, and anybody who has read them is aware that they explore a range of important issues. The books include both educational guides to sex and sexuality written for a young adult audience and novels like *The Perks of Being a Wallflower* that address the serious issues that adolescents face, including friendship, teen pregnancy and suicide. *Library Journal* gave "high marks for comprehensiveness and attention to detail" to *Deal with It! A Whole New Approach to Your Body, Brain, and Life as a gURL*. Its main message concerns "accepting diversity in bodies and lifestyles, taking responsibility, and finding help when you need it." These books are plainly not obscene and are fully protected under the First Amendment.

The library is for everyone, but that doesn't mean that every book is appropriate for every patron. On the contrary, professional librarians choose books to reflect a diversity of topics and viewpoints that meet the needs and interests of *all* patrons. Those who object to the books are entitled to their views and need not read anything that offends them, but they have no right to impose their opinions on others. If parents have concerns about their own children's reading choices, is it their responsibility to direct and supervise them, not to expect the library to reflect their views about parenting. No one is forced to read a book because it sits on a library shelf.

The West Bend Common Council should strive to be objective in choosing the members of the Library Board, evaluating candidates based on their ability and interest in the job, not on the political and social opinions they hold. Such a process is essential to guard against reliance on subjective judgments and to ensure that library materials are evaluated using only objective, constitutionally-sound criteria.

We strongly urge you to protect the right of all readers to read and think freely. By keeping the challenged books in the young adults section, you will demonstrate respect for your patrons and their choices; for the professionalism of the librarians who serve the reading public; and for the First Amendment and its central role in a pluralistic, democratic society.

If we can be of assistance in this matter, please do not hesitate to contact us.

Sincerely,



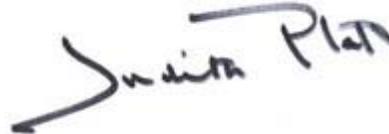
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cc: Mayor Kristine Deiss
Members of the West Bend Community Memorial Library Board