

LibraryCrunch

Service for the Next Generation Library: A Library 2.0 Perspective by Michael Casey

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Porn at the Library

[Woman Wants Porn-Watching At Library Stopped](#)

Dozens of Gwinnett County residents will be voicing their concerns about porn on library computers. They say the county isn't doing enough to block sexually explicit material and protect their children.

During Ruth Hardy's last trip to the Collins Hill branch library she got more than just books. She got mad at what she saw a man watching on his computer. "It looked like she was having sex there on the computer screen," said Hardy.

[Read about it here.](#)

Posted by Michael on November 12, 2007 08:53 PM | [Permalink](#)

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The library may use filters to make existing book collection policies extend over the Internet. See US v. ALA, US Supreme Court, 2003.

Further, unfiltered access likely violates the library's enabling statute and is therefore unlawful. A library board allowing unlawful activity is acting ultra vires and its usual independence from the government may be pierced so the government may step in and order a stop to the illegality. If the library board persists in violating the law, if that is the case, I suggest getting the government to carefully examine the library's enabling statute and the case of US v. ALA, then act accordingly.

Do not be fooled by misinformation reraising issues already asked and answered in US v. ALA. And even if the library does not accept federal funding, that does not make US v. ALA moot.

I will be happy to help anyone with questions. Contact me at <http://www.SafeLibraries.org/>

Posted by: [Dan Kleinman](#) | [November 14, 2007 08:10 AM](#)

The above comment is opinion and not to be construed as legal advice.

Posted by: [Michael Casey](#) | [November 14, 2007 01:15 PM](#)

Correct, and the library's point of view is also opinion and not to be construed as legal advice.

This is especially true where the library (as in the ALA et alia) already lost on the factual and legal issues with the US Supreme Court in US v. ALA saying something with which the ALA disagrees to this day, "The interest in protecting young library users from material inappropriate for minors is legitimate, and even compelling, as all Members of the Court appear to agree."

Despite this, the ALA maintains it is "age" discrimination to do as the US Supreme Court says, as the community says, as the law says, and as common sense says.

So the library's view may be opinion, but it is opinion already proven wrong in the US Supreme Court. Do you or I get to sidestep the US Supreme Court so cavalierly?

The ACLU was on the same side as the ALA in US v. ALA and also lost. However, the ACLU has recently said in a case overruling COPA (not CIPA) that filters are extremely effective nowadays, and the judge agreed. ACLU v. Gonzales, E.D. Pa., March 2007. Indeed, filters were so effective that it was the very reason COPA was overruled. The ACLU expert testified to this.

The ACLU has moved on--it's now time for the ALA to move on. And local libraries advising people in ways already proven wrong also need to move on.

Posted by: [Dan Kleinman](#) | [November 14, 2007 09:23 PM](#)

The above is, once again, very opinionated and not ever to be taken for fact.

Posted by: Michael Casey | [November 14, 2007 11:47 PM](#)

"Channel 2 was told library staff is not allowed to intervene when they see what may be sexually explicit pictures or video on library computers."

Right there is a possible violation of the law. The library is possibly refusing to comply with the law. The government, therefore, gets to pierce the veil of autonomy and set the library back on the track of following the law.

But let me anticipate Michael Casey who sees the need to add caveats each time I write: I'm very opinionated, what I said is not fact, nobody should take the time to determine if what I said can be used to clean the ALA influence out of the library, and children should continue to be sexualized in the public library because that's freedom of speech, besides, kids see this all over now so what's the big deal. Sounds like him, doesn't it?

"Channel 2 was told library staff is not allowed to intervene when they see what may be sexually explicit pictures or video on library computers." Who is the person who does not allow this? Who appoints this person to the library? When is the next election so this person or persons can be defeated and replaced with someone who represents the community, not the sexualizers?

How do people in Gwinnett County allow this to continue? Do you all not realize it's a PUBLIC library, not an ALA library?

Posted by: [Dan Kleinman](#) | [November 18, 2007 12:50 PM](#)

Yes, I do add caveats to your comments, but I also approve and post them and do not censor them simply because I find them objectionable.

Posted by: Michael Casey | [November 18, 2007 01:45 PM](#)

Everyone:

Michael Casey posts my comments in the true sense of freedom of speech. If my comments were of a commercial nature or of an illegal nature, he might not have, but that's another issue not related to freedom of speech.

Let me say I have noticed and do appreciate that while he obviously disagrees with my comments, he posts them anyway. That makes him a far sight better than the ALA's "Office for Intellectual Freedom" where such postings are not allowed, e.g., on the OIF's blog. Indeed the OIF's classes regarding freedom of speech that are advertised as open to all are suddenly closed to the people the OIF chooses to exclude. And the exclusion is done on an ad hoc basis in a personal, discriminatory, and Court Rule defying manner, including collusion with others to exclude, that totally puts the lie to the "Office for Intellectual Freedom."

What I am saying here is that even if you disagree with Michael Casey, at least he is honest enough to publish what you say. Appreciate it while it lasts before the OIF calls him on the carpet.

Posted by: [Dan Kleinman](#) | [November 19, 2007 07:36 AM](#)

Something else for Gwinnett County to consider:

http://www.denverpost.com/news/ci_7494175

"Library computers have been used in Colorado and elsewhere as a distribution point for child pornography. Law enforcement officials believe that's partly because the users know the machines will be flushed clean by library officials as part of their security and privacy measures, making it impossible to track who is sending child pornography."

Posted by: [Dan Kleinman](#) | [November 19, 2007 11:02 AM](#)

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