

INTERNET FILTERING

Shortly after Internet access became common in U.S. libraries, the use of Internet filtering software began to increase. Internet filters attempt to block access to web sites or pages with content such as pornography, hate speech, gratuitous violence or other materials that may be considered objectionable to some patrons. Both the American Library Association (ALA) (See: [Internet Filtering: an Interpretation of the Library Bill of Rights](#)) and the Maryland Library Association Intellectual Freedom Panel (MLA IFP) maintain that the use of Internet filtering software blocks constitutionally protected speech and is therefore a form of censorship.

The issue of Internet filtering is a difficult one for librarians. Librarians celebrate the Internet as an open forum of free expression, but this very openness can also serve as a conduit for illegal forms of expression. Many librarians believe that if filtering software were sophisticated enough to successfully block only inappropriate web sites, then filter use in libraries might be acceptable. The reality in today's libraries is that current Internet filters tend to over-block material, that is, they sometimes block legitimate sites along with those deemed objectionable. Filtering technology continues to be refined to produce more accurate results, but over-blocking still occurs in all current versions of software on the market. Furthermore, the structure of the web, with the constant change of vast amounts of materials, will prevent Internet filters from blocking all objectionable materials for the foreseeable future. This information is often overlooked or ignored by those who recommend filters as a method to protect children. In the end, the use of Internet filters can give patrons a false sense of security.

Librarians cannot guarantee that a child will never be exposed to objectionable Internet material (or for that matter, an unsavory book or verbal exchange). Yet under current Maryland law (Maryland Code 23-506.1) county libraries are required to "implement policies and procedures to prevent minors from obtaining access through the library, by means of the Internet, the World Wide Web, Usenet or any other interactive computer service to materials that are obscene or constitute child pornography." The only way to fully prevent such access is to ban children from using the Internet altogether.

The best way to deal with inappropriate use of the Internet in the library is to create and post an Acceptable Use Policy to educate patrons about responsible use of the Internet. Such policies focus on the behavior of patrons and not on the content of the web page. According to the ALA document, ["Libraries and the Internet Toolkit: Internet Use Policies"](#), a good Internet use policy:

- Sets forth reasonable time, place, and manner restrictions;
- Expressly prohibits any use of library equipment to access material that is obscene or child pornography; and in the case of minors, "harmful to minors" materials, consistent with any applicable state or local law (for additional information, see "Legal Section" of the toolkit);
- Provides for the privacy of users with respect to public terminals;
- Protects the confidentiality of records, electronic or otherwise, that identify individual users and link them to search strategies, sites accessed, or other specific data about the information they retrieved or sought to retrieve; and
- Informs users if filters are being used.

If any Internet filtering technology is used, the policy should clearly state that, in keeping with the Supreme Court's 2003 decision, adults have the right to request filters be disabled, without justification, and in a timely manner. The policy should include clear instructions for making such requests. Libraries should also consider taking the following actions:

- Communicate the relevant policies for use of Internet-access computers to all library users, and include the parents of children who may use the library without direct parental supervision.
- Post notices at all Internet-access computers informing users that “utilizing library equipment to access illegal materials as specified in the Internet use policy is prohibited.
- Offer a variety of programs (at convenient times) to educate library users, including parents and children, on the use of the Internet, and publicize these programs widely.
- Create a list of recommended Internet sites for library users in general. In the case of youth and children, according to age group, offer direct links to sites with educational and other types of material best suited to their typical needs and interests. For additional information see “Children 10 Years of Age and Under” and “Teens 11-17 Years of Age” sections under “Safety & Responsibility” in this toolkit.

Use policies can also address other behaviors, such as use of the Internet for harassment, copyright infringement, unauthorized access, and so on.

Some good examples of Acceptable Use Policies include:

- Ames Public Library - http://www.amespubliclibrary.org/Docs_PDFs/Policy/InternetUsePolicyandGuidelines.pdf
- Multnomah County Library - <http://www.multcolib.org/about/pol-internet.html>

The following points about Internet filters are important to keep in mind:

1. The use of filters is a form of censorship, not selection

Some proponents of filters have argued that no library would deliberately include objectionable content in its collection, and therefore no library should allow access to it on computers. By providing access to the Internet, however, we are selecting that entire body of information, or billions upon billions of individual web pages. Trying to block specific parts of the Internet has been likened to removing pages of an encyclopedia or marking out offending words in a dictionary. This censorship technique is known as expurgation (see the ALA discussion titled, ["Expurgation of Library Materials: an Interpretation of the Library Bill of Rights"](#)). Furthermore, control of materials blocked through filters is not in the hands of librarians, but rather is determined by the company creating the filtering software. Such companies generally do not disclose their methods of blocking or their lists of materials being blocked.

2. Library patrons have the right to view constitutionally protected images as well as text

Library patrons could have perfectly legitimate reasons to view images that might be disturbing or distasteful to other patrons. Some libraries use privacy screens or recessed computer displays, both to protect the confidentiality of the user's access and to shield a passerby from unwanted imagery. A claim that such images create a hostile environment or are harmful to minors is a poor argument for censoring images. In the hostile environment argument, more explicitly offensive behavior is usually involved in the definition of what constitutes a hostile environment. Inappropriate behaviors by patrons

should already be covered under the library's patron behavior policy. As for ideas or images being harmful to minors, adults must understand that children will be exposed to images, words and ideas, that some may find objectionable, and cannot be completely protected from them. Perhaps a better solution is to encourage parents to talk with their children about the possibility of finding troublesome materials on the Internet and to teach their children how to use the Internet responsibly.

See the following web sites for guidance on responsible Internet use for children:

- KidsCom - <http://www.kidscom.com>
- SafeKids.com - <http://www.safekids.com>
- ALA "[Libraries and the Internet Toolkit: Tips for Parents](#)"

3. If your library relies on the federal e-rate discount, there are ways to mitigate the use of filters.

The United States government has encouraged the use of Internet filters by passing the Children's Internet Protection Act (CIPA). CIPA forces libraries that receive federal e-rate discounts to have filters on all Internet computers, although a filter must be turned off at the request of any adult. There are library systems that have decided to forgo the e-rate discount in order to uphold the cause of intellectual freedom. MLA's Intellectual Freedom Panel salutes these systems, with the understanding that not all libraries can afford to decline the discount to obtain Internet access.

ALA provides information for libraries about implementing filtering on their "[CIPA](#)" web site. The American Civil Liberties Union (ACLU) also offers suggestions in their memorandum titled, "[Library filtering after US v. ALA: What does it all mean and what should we do.](#)" ACLU suggestions include:

- posting a legal notice in a prominent location near each computer
- creating or installing software that blocks only visual depictions
- joining ALA in pressuring software companies to make public their lists of blocked sites
- establishing a policy of switching off filtering software for any adult who requests such
- setting up a method of turning off the filtering software without a face-to-face request
- setting up a method by which any patron can anonymously request to unblock a site
- establishing a policy for dealing with minors

In conclusion, Internet filters are fine for individuals to use in their own homes, but they should not be used in a library.



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Further Reading:

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