



FREEDOM TO READ FOUNDATION NEWS

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Barbara M. Jones, Executive Director • Kent Oliver, President

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Utah: Fed. Judge rules for FTRF in Net content case

On May 16, U.S. District Judge Dee Benson entered an order in favor of FTRF and our co-plaintiffs in *Florence v. Shurtleff*, the long-standing suit concerning a Utah law that would have criminalized the posting of content constitutionally protected for adults on generally-accessible websites. The court further held that those publishing constitutionally-protected material on the Internet are not required by law to rate or label that material.

Media Coalition's Michael Bamberger, lead counsel for the plaintiffs (and recipient of FTRF's 2012 Roll of Honor Award, see p. 5) worked out an agreement with the state attorney general the law's implementation. Per the agreement, only those who intentionally send "harmful to minors" material to a minor having negligently failed to determine the age of the recipient can be prosecuted under the law.

Continued on p. 8

Authors left rich legacies

Ray Bradbury, 1920–2012

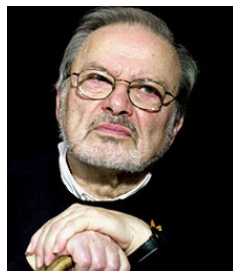


"There is more than one way to burn a book. And the world is full of people running about with lit matches."

Read more about these legendary authors on p. 7

Maurice Sendak, 1928–2012

"Children are willing to expose themselves to experiences. We aren't. Grownups always say they protect their children, but they're really protecting themselves. Besides, you can't protect children. They know everything."



Inside this issue of *FTRF News*...

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“Member Get a Member”: Help make FTRF stronger!

By Barbara M. Jones, Executive Director

As part of our ongoing initiative to increase the membership of the Freedom to Read Foundation, in furtherance of our strategic plan, I'm pleased to announce a new version of a tried-and-true program: "Member Get a Member." First implemented many years ago under FTRF's founding Executive Director Judith Krug, this is a great way to help share the great work of the Foundation.

With "Member Get a Member," we ask you to identify three to five people who share your passionate commitment to the First Amendment and libraries. Once you send us their names and addresses, we will send them information on FTRF and a membership form, and identify you as their referring member.

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It's here! The FTRF Annual Member Reception

Thursday, June 21, 2012

5:00–6:30 p.m.

Anaheim Convention Center Room 202A

*See p. 5 for all FTRF events at ALA
Annual Conference*



FTRF names eight Krug Fund Banned Books Week grant recipients

On June 5, the Freedom to Read Foundation, via our Judith F. Krug Memorial Fund, announced eight \$1,000 grants to libraries, schools and other organizations in support of Banned Books Week events. Banned Books Week, which will take place Sept. 30–Oct. 6, 2012, celebrates the freedom to access information, while drawing attention to the harms of censorship. 2012 marks the 30th anniversary of Banned Books Week, and the third year of FTRF’s Judith Krug Fund grants.

Recipients of this year’s grants are the ACLU of Pennsylvania, California Polytechnic State University, City Lit Theater Company (Chicago), Friends of the Talkeetna (Alaska) Public Library, Judith’s Reading Room, Lawrence (Kan.) Public Library, St. Catharine College (Ky.) and Simon Sanchez High School (Guam).

“We are thrilled with the variety and scope of events among the record number of applications,” said FTRF Executive Director Barbara Jones. “The best part about the Judith Krug Fund grants is that they encourage librarians, teachers and event planners to be creative with their plans, which helps make Banned Books Week more fun for readers in their communities, increases the week’s visibility and further spreads the message of the importance of the freedom to read—and the role of libraries in protecting that freedom.” Jones

FTRF is now an official sponsor of Banned Books Week

The Freedom to Read Foundation is pleased to be an official sponsor of this year’s Banned Books Week. In addition to our Krug Fund grants, FTRF will work through social media and other avenues to spread the word about the issues involved, with a particular focus on the legal issues surrounding censorship.

Banned Books Week

September 30–October 6, 2012

Posters, t-shirts, bookmarks, and more available now at www.ala.org/bbooks.

noted that most of the grantees highlighted partnerships with other libraries and community organizations to stage and promote their events.

In exchange for the grant, recipients agree to provide FTRF with photos and video of their events. Video and photos of 2011 grant winners can be accessed at www.ftrf.org.

In addition to the cash award, the Freedom to Read Foundation is providing Banned Books Week merchandise, sold by the American Library Association Store, to the grant recipients. Many other Banned Books Week events around the country will be listed at www.bannedbooksweek.org.

About the 2012 Judith F. Krug Memorial Fund grant recipients

ACLU of Pennsylvania, Greater Pittsburgh Chapter, for their 17th annual “fREADom: A Celebration of the Freedom to Read,” Read-Out and the second annual “Banned After Dark” event featuring performances of banned or challenged plays, songs and other works. This is the second grant for the ACLU of Pennsylvania, which also was awarded a grant in 2010.

California Polytechnic State University, Robert E. Kennedy Library, for a banned author talk, Read-Out, and wall-sized Infographic featuring the most frequently challenged books of the last decade, among other events.

City Lit Theater Company, for “Books on the Chopping Block,” a week-long series of staged readings at Chicago-area public libraries of the previous year’s 10 most frequently challenged books as determined by the American Library Association’s Office for Intellectual Freedom. City Lit uses professional actors for these performances, which are followed by Q&A sessions with the audience.

Lawrence (Kan.) Public Library, for “Banned Books Week Trading Cards,” a daily giveaway of baseball-like cards depicting the artwork and “statistics” of various banned and challenged books. Other events sponsored by the library will be a Read-Out, photo booth, panel discussion of local writers and attorneys with experience dealing with book challenges and “Cozy up to a Banned Book,” an interactive installation wherein patrons can sit in a recliner and read various library books.

Friends of the Talkeetna (Alaska) Public Library, in support of the Second Annual Great Talkeetna Festival of Books. This year’s festival will feature the theme “Heroes and Villains” and focus on graphic novels and comics—an increasingly significant target of challenges. Among the events will be a poster contest, scavenger hunt, parade of books, a film showing and a Battle of the (Banned!) Book Clubs reading program, culminating in a Jeopardy-style game show. The library also will partner with local restaurants who will serve banned book themed food and drinks.

Judith’s Reading Room, for “Freedom Through Literature,” a three-pronged media and event campaign highlighting 30 years of banned books. Judith’s Reading Room is a network of 30 custom-designed libraries around the world, including in VA and children’s hospitals, war zones and inner-city schools. Each Judith’s Reading Room library will feature banned books and Banned Books Week posters. Keynote events, including flash mobs and featured speakers, will take place at Lafayette College and Villanova University in Pennsylvania and at the University of Southern California. Based in Western Pennsylvania, Judith’s Reading Room was established in 2010 in memory of Judith F. Krug.

St. Catharine College (Ky.), for a cook-out, chalk drawings and their fifth annual, three-day-long Banned Books Week Read-Out. They also will sponsor an essay contest for local high school students. St. Catharine was awarded a Judith Krug Fund grant in 2010.

Simon Sanchez High School (Guam), for Read-Outs, posters and a “Roadside Wave,” featuring celebratory boards and signs. This will be the first commemoration of Banned Books Week for the school, based in Yigo on the northernmost part of Guam. In 2000, the school library was decimated by a typhoon, and to date, not all of the resources have been replaced. This is the first Judith Krug Fund grant for an organization in a U.S. territory.



The Judith F. Krug Memorial Fund was established after Krug’s death in April 2009. Krug was the founding executive director of FTRF, established in 1969 as a First Amendment legal defense organization affiliated with the American Library Association. She helped found Banned Books Week in 1982 in her capacity as director of the ALA Office for Intellectual Freedom.

Archivist Steven Booth awarded 2012 Conable Conference Scholarship

Steven Booth, an archivist with the Presidential Materials Division at the National Archives and Records Administration, was named the fifth recipient of the Gordon M. Conable Conference Scholarship. The Conable Scholarship will provide for Booth's expenses to attend the 2012 American Library Association Annual Conference in Anaheim.

As part of the scholarship, Booth will attend FTRF and other intellectual freedom meetings and programs, consult with a mentor, and present a report afterwards about his impressions. He will be recognized at FTRF's Annual Member Reception, scheduled for 5:00–6:30 p.m. on Thursday, June 21 in room 201A of the Anaheim Convention Center.



Booth received his Master of Library Science with an emphasis in Archives Management from Simmons College in Boston in 2009. He holds a B.A. from Morehouse College in Atlanta. As an intern at Boston University, he helped produce an electronic finding aid for the Martin Luther King, Jr. Papers. Booth's essay, "A Charge to Keep I Have," appears in the recently published book "The 21st Century Black Librarian in America: Issues and Challenges." His study and work as an archivist has led him to become an advocate for open access to archived material for all. At the conference, he is looking to "find opportunities to bridge the ongoing library and archival great divide" and in "developing strategies geared towards intellectual freedom collaborative projects and programs."

"Steven's interest in connecting archiving with intellectual freedom principles helped lift him to the top of a very strong and diverse applicant pool," said Conable Scholarship Committee Chair Candace Morgan. "The committee was impressed by his dedication to improving access to archived material, even when the material might prove uncomfortable. His selection underscores the Freedom to Read Foundation's mission, which opposes censorship in a wide variety of institutions—not just libraries."

Gordon Conable was a librarian and intellectual freedom champion who served several terms as FTRF president. The Conable Scholarship was created to advance two principles that Gordon Conable held dear: intellectual freedom and mentorship. His unexpected death in 2005 inspired his wife, Irene Conable and the FTRF Board to create the Conable Fund, which provides funding for the Conable Scholarship. To donate to the Conable Fund, please visit www.ftrf.org or call (800) 545-2433, ext. 4226.

News & Notes

Federal judge upholds filtering policy: On May 11, 2012, a federal district court held that the computer filtering policy of Washington's North Central Regional Library District did not violate the constitution. The case, *Sarah Bradburn et al. v. North Central Regional Library District*, was filed by the ACLU on behalf of three library users and the Second Amendment Foundation, who maintained that the library system was refusing to honor requests by adult patrons to temporarily disable its internet filters for sessions of uncensored reading and research. FTRF has monitored this case since its inception.

Morozov's *Net Delusion* wins IFRT's Oboler award: The Intellectual Freedom Round Table announced that Evgeny Morozov, author of *The Net Delusion: The Dark Side of Internet Freedom* is this year's recipient of the Eli M. Oboler Award. The Oboler Award, which consists of \$500 and a certificate, is presented for the best published work in the area of intellectual freedom. The award was named for Eli M. Oboler, the extensively published Idaho State University librarian known as a "champion of intellectual freedom who demanded the dismantling of all barriers to freedom of expression."

The official awards presentation will be held at the ALA Annual Conference in Anaheim on Saturday, June 23 at 11:30 a.m. in room Plaza AB of the Sheraton Park Hotel. Following the presentation, the IFRT program will be held at the Marriott Anaheim, Marquis Northeast room.

The Net Delusion was the first selection of the FAIFE Book Club, cosponsored by the ALA Office for Intellectual Freedom.

FTRF events at 2012 ALA Annual Conference

The 2012 American Library Association Annual Conference will take place June 21–26 in Anaheim, CA. Below is a listing of FTRF meetings and programs. For a listing of all intellectual freedom programs, visit the Office for Intellectual Freedom homepage at www.ala.org/oif.

FTRF Board of Trustees Meeting

Thursday, June 21

9:00 a.m.—5:00 p.m.

Anaheim Convention Center, Room 201A

Conference attendees are welcome to attend the meeting of the FTRF Board.

FTRF Member Reception

Thursday, June 21

5:00—6:30 p.m.

Anaheim Convention Center, Room 202A

Join the FTRF Board and staff at this reception for FTRF members. Learn about the goings on of the Foundation and meet Steven Booth, the 2012 Conable Scholarship recipient. Refreshments will be provided, along with a cash bar.

IF 101

Friday, June 22

12:30—1:30 p.m.

Anaheim Convention Center, Room 210D

Part of the ALA 101 Programs introducing new members and conference attendees to the various units of ALA and the exciting events going on during Conference. At IF 101 you'll learn about ALA's various intellectual freedom arms and activities (including FTRF, IFC, IFRT, the Merritt Fund, COPE, Banned Books Week, and more), and get a sneak preview of the IF programs taking place at Annual Conference and beyond.

Opening General Session

Friday, June 22

4:00-5:15 p.m.

Anaheim Convention Center, Arena

Michael Bamberger will be presented with the FTRF Roll of Honor Award. Keynote speaker: journalist Rebecca McKinnon, author of *Consent of the Networked*, a book concerning privacy, surveillance, censorship, data mining, and how technology should be governed to support the rights and liberties of users.



IFC/FTRF Issues Briefing

Sunday, June 26

4:00—5:30 p.m.

Hilton Anaheim, Huntington Room

Join us to learn what intellectual freedom hot topics are being discussed by the ALA Intellectual Freedom Committee and the Freedom to Read Foundation. Key topics will include filtering in public and school libraries.

Carolyn Forsman Jewelry

If you'll be attending the ALA Annual Conference in Anaheim, please visit booth 914 in the exhibit area to check out the designs of Carolyn Forsman, the New York-based jeweler who donates proceeds from her ALA booth to the Freedom to Read Foundation. She'll be located near the Technology Pavilion. (If you won't be able to attend the conference, you can still find Carolyn's jewelry at www.carolynforsman.com.)

Carolyn, a former librarian and ALA Councilor, has raised over \$150,000 through the years for FTRF, and was named to the Foundation's Roll of Honor in 2001. Her work is currently available for sale in the Museum of Modern Art, Library of Congress, National Archives, and much more. In 2009 she won the Museum Store Association Service Award.

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FTRF Board of Trustees election results

In the April election, five trustees were elected to two-year terms on the Freedom to Read Foundation Board:

Carol Brey-Casiano (Brasilia, Brazil) is an information resource officer at the U.S. Embassy in Brazil and is a past president of the American Library Association.

Julius C. Jefferson, Jr. (Washington, D.C.) is an information research specialist at the Library of Congress.

Mary Minow (Cupertino, Calif.) is a library law consultant and is Follett Chair at Dominican University's Graduate School of Library and Information Science.

Judith Platt (Washington, D.C.) is the director of free expression advocacy at the Association of American Publishers.

Nancy P. Zimmerman (Columbia, S.C.) is associate dean for academic affairs at The Graduate School, University of South Carolina.

Brey-Casiano, Minow, and Platt were re-elected. Jefferson and Zimmerman were newly elected (Jefferson served previously on the board as an ex-officio member due to his status as chair of ALA's Intellectual Freedom Committee).

The newly elected trustees joined the following members to form the FTRF Board for 2012–2013:

Helen Adams
Jonathan Bloom
Chris Finan
Christine Jenkins
Herbert Krug
Candace Morgan

Ex-Officio members of the 2012–2013 FTRF Board:

Maureen Sullivan, ALA President
Pat Scales, ALA IFC Chair, 2011–2012
Keith Michael Fiels, ALA Executive Director
Barbara Stripling, ALA President-Elect

Barbara M. Jones is the FTRF secretary and executive director. The officers for 2012–2013 will be selected at the FTRF Annual Meeting in Anaheim, CA on June 21.

Bamberger wins Roll of Honor Award

First Amendment attorney Michael Bamberger has been named the recipient of the 2012 Freedom to Read Foundation Roll of Honor Award.



“For over 30 years, Michael A. Bamberger has been one of the unsung heroes of the fight to protect free speech in the United States,” said chair of the Roll of Honor Committee Chris Finan. “As the general counsel of the Media Coalition, he has successfully challenged dozens of federal, state and local laws that attempted to censor material protected by the First Amendment, including books, magazines, recordings, movies, videos, videogames and the Internet.”

He is perhaps best known for the landmark case *Hudnut v. American Booksellers Association*, a challenge to an Indianapolis anti-pornography ordinance that outlawed “graphic, sexually explicit subordination of women, whether in pictures or in words,” presenting women as sex object, or as enjoying pain, humiliation, or servility. The law was inspired by Andrea Dworkin and framed as a matter of civil rights. FTRF filed *amicus* briefs in that case with the district court and the Seventh Circuit Court of Appeals. The Supreme Court affirmed the lower courts’ decisions to strike down the ordinance as unconstitutional.

In addition to his work as General Counsel at Media Coalition and his position as partner at SNR Denton law firm, Bamberger serves as Adjunct Professor of Law at Cardozo Law School and Lecturer at University of California, Berkeley, School of Law. He is author of 2000’s *Reckless Legislation: How Lawmakers Ignore the Constitution*.

The award will be presented at the 2012 ALA Annual Conference during its Opening General Session from 4:00–5:15 p.m. on Friday, June 22, at the Anaheim Convention Center.

The Roll of Honor was established in 1987 to recognize and honor those individuals who have contributed substantially to FTRF through adherence to its principles and/or substantial monetary support. A list of Roll of Honor Award recipients can be found at www.ftrf.org.

Ray Bradbury, icon of the freedom to read

On June 5, 2012, as this newsletter was going to press, we learned with sadness of the death of pioneering science fiction and fantasy writer Ray Bradbury. Bradbury will perhaps best be remembered for his dystopian novel *Fahrenheit 451*, which, nearly 60 years after its publication, remains one of the most important works of art about censorship—and a target of would-be censors.

Some of the challenges to Bradbury's work, as recorded by the ALA Office for Intellectual Freedom (OIF) and published in ALA's *Banned Books Resource Guide* by Robert P. Doyle:

***Fahrenheit 451*:** Expurgated at the Venado Middle School in Irvine. Students received copies of the book with scores of words—mostly “hells” and “damns”—blacked out. After receiving complaints from parents and being contacted by reporters, school officials said the censored copies would no longer be used. (CA 1992)

Challenged at the Conroe Independent School District because of the following: “discussion of being drunk, smoking cigarettes, violence, ‘dirty talk,’ references to the Bible, and using God’s name in vain.” The novel went against the complainants’ “religious beliefs.” (TX 2006)

***The Martian Chronicles*:** Challenged at the Haines City High School due to several instances of profanity and the use of God’s name in vain in the work. (FL 1982)

Pulled and replaced with a newer version at the Herbert Hoover Middle School in Edison because a chapter contains the words “the niggers are coming.” The new abridged edition of the book omits the inflammatory story, titled “Way Up in the Air.” (NJ 1998)

***The Veldt*:** Retained on the Beaverton School District’s reading list. The short story was challenged by a middle-school parent who thought its language and plot were inappropriate for students. Her biggest concern is that the story offers no consequences for the children’s actions. The short story is part of Bradbury’s *The Illustrated Man* anthology. It is twenty pages long and was published in 1951 as the first in the collection of eighteen science fiction stories.

OIF also has received notification of multiple challenges to Bradbury’s story “The Sound of Thunder.”

Fahrenheit 451 is the second selection of the FAIFE Book Club, co-sponsored by OIF and IFLA’s Committee on Freedom of Access to Information and Freedom of Expression. This international, online initiative will feature resources and events on the book through summer 2012. For more information, visit faifebookclub.ala.org.

Maurice Sendak, beloved and controversial children’s author

On May 8, brilliant author and illustrator Maurice Sendak died. Sendak wrote *In the Night Kitchen*, one of the most frequently challenged books of the past 30 years due to a drawing featuring a nude boy. (It also has been defaced many times by librarians and others who drew shorts or diapers on Mikey, the book’s protagonist.) His *Some Swell Pup* was challenged at the Multnomah, OR, County Library because in it a dog urinates on people, and children abuse animals.

A side note: Sendak’s inimitable *Where the Wild Things Are* was a key part of one of FTRF’s more interesting cases of the past decade. Not because of a censorship challenge, however ... well, not an *actual* censorship challenge.

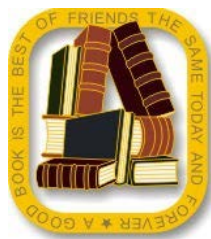
In November 2003, FTRF partnered with the Association of American Publishers and thirteen other groups in submitting an *amicus* brief to the Texas Supreme Court in support of a newspaper’s right to engage in political satire as a means of commenting on government officials’ actions. In the case, a judge and district attorney claimed they were libeled by the Dallas Observer, after the paper (an alternative weekly) published a fictitious article criticizing the officials’ role in jailing a 13-year-old boy for writing a school-assigned essay for Halloween, which discussed the shooting of a teacher and two students. The article recounted the jailing of a six-year-old girl for “suspicion of making a terrorist threat” in a book report on Sendak’s *Where the Wild Things Are*.

On September 3, 2005, the Texas Supreme Court unanimously ruled in favor of the Observer, saying the article was satire and protected by the First Amendment, and thus the officials could not sue for libel. The case was *New Times, Inc. v. Isaacks*.

Member Get a Member

Cont. from p. 1

Every member who sponsors or inspires a new member to join by August 1 will receive a free special gold-plated bookmark featuring the phrase “A good book is the best of friends the same today and forever” and a very big **THANK YOU!** The new member also will receive a bookmark, a membership card and the Freedom to Read Foundation News.



Member Get a Member forms were mailed to all current FTRF members last month. If you didn't receive a form in the mail, please use the form below.

Go for it! Help us move forward! Results will be announced in the next issue of *FTRF News*.

NOTE: Our invitation to your friends to join you as FTRF members will be a one-time solicitation. We will not use their contact information for any other purpose.

Victory in Florence v. Shurtleff

Cont. from p. 1

The law was initially passed in 2005 and signed by Gov. Jon Huntsman. In 2006, Judge Benson issued a preliminary injunction blocking enforcement of the law. Other plaintiffs in the suit included The King's English bookstore, Utah painter Nathan Florence, the ACLU of Utah, Utah attorney W. Andrew McCullough, the Comic Book Legal Defense Fund, the Association of American Publishers, the American Booksellers Foundation for Free Expression, and several other local and national organizations.

Freedom to Read Foundation News (ISSN 0046-5038) is issued quarterly to all members of the Freedom to Read Foundation. Regular FTRF membership begins at \$35.00 per year for individuals and \$100.00 for organizations. Student membership is \$10.00. Contributions to FTRF should be sent to: Freedom to Read Foundation, 50 E. Huron St., Chicago, IL 60611. You also can join by phone at (800) 545-2433 x4226 or at www.ftrf.org/joinftrf. FTRF is a 501(c)(3) organization and contributions are tax-deductible.

Member Get a Member Referral Form

Please return this form by fax (312-280-4227), email (ftrf@ala.org), or mail (FTRF, 50 E. Huron St., Chicago IL 60611) by August 1!

Referrals are as follows. You may use my name.

My Name

Name _____

Address _____

City /State/Zip _____

E-mail _____

Referral #1

Name _____

Address _____

City /State/Zip _____

E-mail _____

Referral #2

Name _____

Address _____

City /State/Zip _____

E-mail _____

Referral #3

Name _____

Address _____

City /State/Zip _____

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Referral #4

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Referral #5

Name _____

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