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# Fighting for the First

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## EveryLibrary | 501(c)4 Political Action Committee

- Election Days and Negotiations
- Support for Legislative Agendas
- Outreach and Activism to the Public



## EveryLibrary Institute - 501(c)3 Research and Policy Think Tank

- Research Agenda
- Training Programs
- Programmatic Partnerships and Coalitions

# Censor's Playbook



This Session is not about challenges that involve the legitimate concerns of locally-involved stakeholders who participate in the process and respect its outcome.

*What Today is  
Not About*

## **Five Freedoms of the 1st Amendment**

Freedom of Speech

Freedom of Religion

Freedom of the Press

Freedom of Assembly

Right to Petition the Government for Redress

## **14th Amendment**

Equal protection under the law

*Conflicts within  
and between  
rights and  
responsibilities*

1. Base-Building Crusaders
2. Anti-People (LGBTQ , BiPOC)
3. Classic Anti-Tax and Anti-Government Movements
4. Anti-Public Education and Anti-Union
5. Spiritual Warfare or Moral Panic

*Five Vectors of a Politicized or Performative Challenge*

1. Anti-access legislation, esp state library database contracts.
2. Legislation allowing for civil and criminal penalties against librarians, educators, board members.
3. Changing state obscenity laws to include librarians and educators
4. Legislative bans or limits on discussing or teaching certain topics.
5. Boards are being politicized.
6. State Library budgets and authority.

*It isn't Just  
About Books*

# Three Languages of Politics



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Directly or indirectly, how we choose to tax ourselves and what values are expressed in our budgets, policies, and programs are fundamentally political in nature.

How do policies, budgets, and laws reflect and express our values?

There are three mainline political narratives we operate within (see: “Three Languages of Politics” by Arnold Kling, Cato Institute 2016)

## *Political Decisions*

My heroes are people who have stood up  
for the *underprivileged*.

The people I cannot stand are the people  
who are *indifferent* to the oppression of  
women, minorities, and the poor.

*Progressive*

My heroes are people who have stood up for *Western values*.

The people I cannot stand are the people who are *indifferent* to the assault on the moral virtues and traditions that are the foundation for our civilization.

*Conservative*

My heroes are people who have stood up  
for *individual rights*.

The people I cannot stand are the people  
who are *indifferent* to government taking  
away people's ability to make their own  
choices.

*Libertarian*

Disrupt / Dismantle

My heroes are people who have put their foot down and said enough is enough....

My heroes are people who have taken back their rights....

My heroes are people who are champions for their beliefs...

*New 4th  
Language of  
Politics*

# Activism in the Local Fights



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# EveryLibrary's Three Principles of Activism

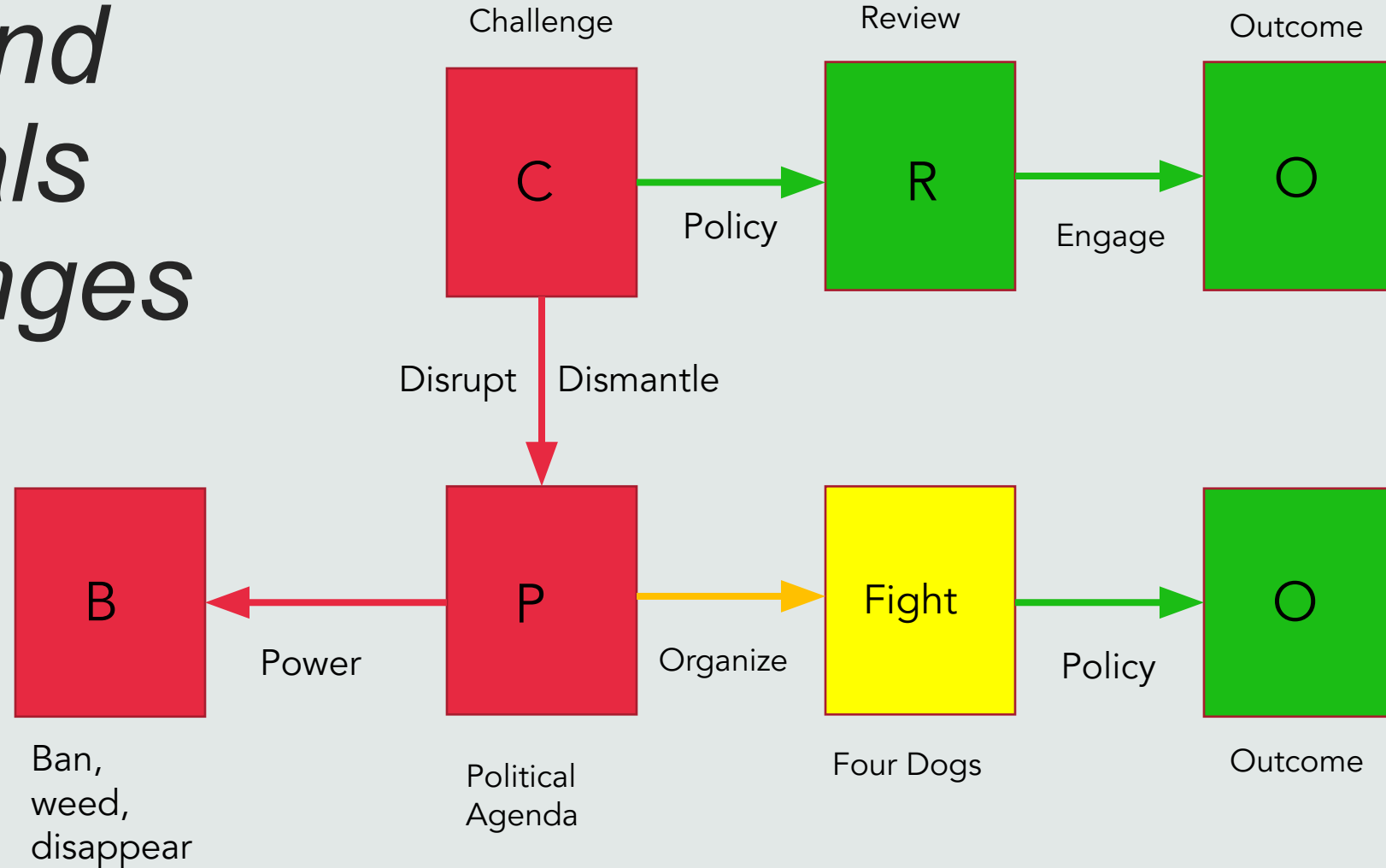
Identify the Legitimate Local Stakeholders

Center the Affected People in the Campaign

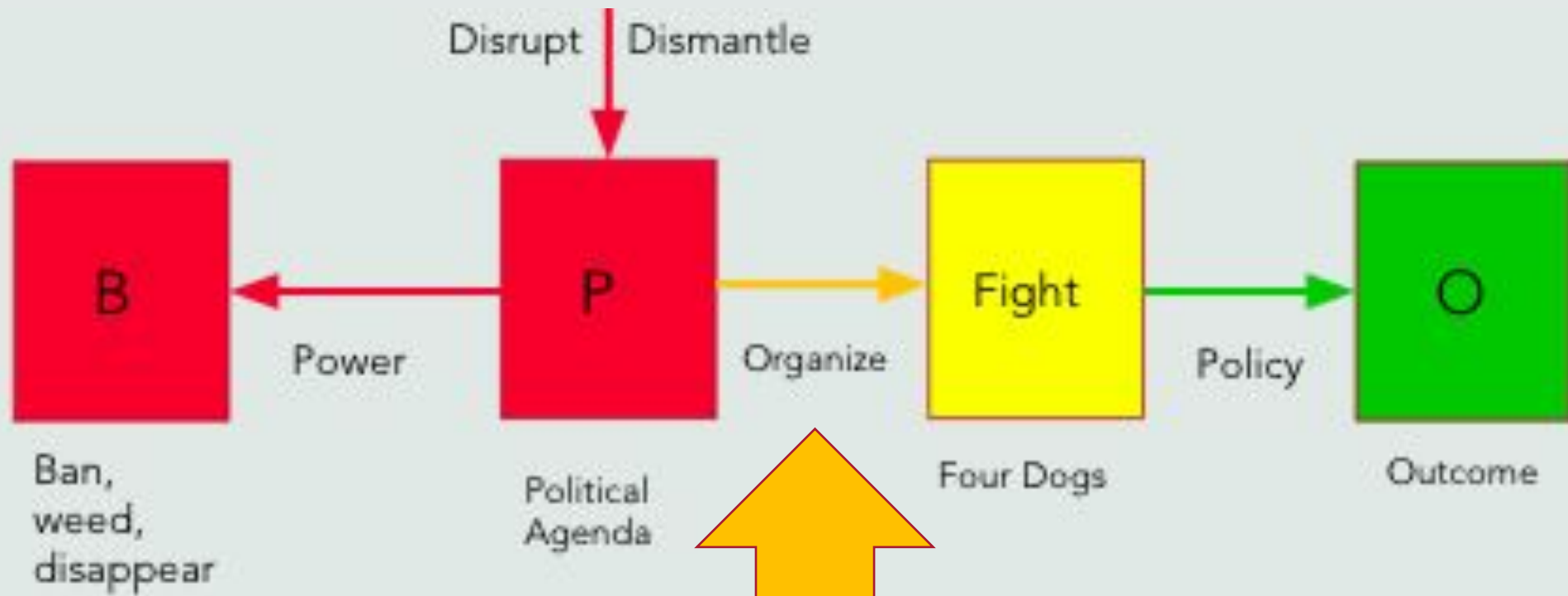
Amplify Their Agenda

# *Pathways of Book and Materials Challenges*

Dr. Tasslyn Magnusson's research (pre-pub)







*Get Organized to Fight For Policy and Due Process*

*There are "Four Dogs" in the fight....*

# Four Dogs

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- Watchdog  
*Names how should policy be followed*
- Guard Dog  
*Organizes allies and the media*
- Bird Dog  
*Directs actions toward a better outcome*
- Guide Dog  
*Solidarity in the fight*



# *Watchdog*

- Shadow Board
- Policy Watch
- Moral Compass
- Defines 'how it should be going' and names the ways that the current process is variant
- Defines what a proper outcome looks like





## Guard Dog

- Identifies and organizes other *activists*
- Defends the integrity of the process
- Defends the integrity and competency of the librarians and the library
- Identifies allies or affected populations
- Builds the coalition
- Talks to the media
- Identifies a plaintiff







## Bird Dog

- Identifies and organizes *supporters*
- Is active on social media
- Is active at meetings
- Focused on direct action
- Uses digital tools and real-world engagements

## Guide Dog

- Solidarity with folks who are under threat or under attack.
- Nationally, EveryLibrary invites you to take action for libraries at [Action.EveryLibrary.org](http://Action.EveryLibrary.org)
- [FightForTheFirst.org](http://FightForTheFirst.org) organizing platform (turn key)
- Bespoke "Alliance" websites



# Library Alliances and the Fight for the First



Not a Toolkit  
Practical and  
actionable tools  
for organizers  
and activists

## Fight for the First from EveryLibrary and the EveryLibrary

Digital platform for organizing local and statewide activists for the First Amendment, Civil Rights, Civil Liberties, and Civil Disobedience campaigns

- Petitions and direct email tools
- Event management
- Private 'groups' for organizers
- Organizer training and strategy
- Fundraising
  - c3 compliant donations through our FundLibraries.org crowdfunding
  - c4 political donations through EveryLibrary fiscal sponsorship
- Media and PR
- Advertising and outreach budget from ELI or ELPAC for every Fight for the First campaign

Free to any and all legitimate campaigns



# Local and Statewide Actions on Fight for the First

- Local library Alliances, Education Coalitions, and Right to Read campaigns.
  - St. Tammany Library Alliance, Meridian Library Alliance, Flathead County Library Alliance
  - Forsyth County Education Coalition, Clay County Reading Alliance, Katy ISD Families
  - Florida Freedom to Read, Utah Parents United
- Support for State Library Association Partners
  - Rapid Response teams with New Jersey Library Association, Massachusetts Library Association, Idaho Library Association, Delaware Library Association, Wyoming Library Association
- Fight for the First campaigns
  - Glen Ridge, NJ.
  - Bucks County, PA.
  - Saline County, AR.
  - Mansfield ISD – Tarrant County, TX.
  - Let Idaho Read
- Fundraising Campaigns on FundLibraries.org
  - Ridgeland, MS
  - Patmos Library in Michigan
  - Private legal actions

<https://www.FightForTheFirst.org>

# The Unprepared Boards and Staff



# Unprepared Boards and Staff

Challenges are Emotionally Draining

From “Nice Neighbors” and  
“Beloved Librarians” to “Groomers”

Unprepared People React in either  
Fear or Shame

# Our Rights are in Conflict

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## Five Freedoms of the First Amendment

- Freedom of Speech
- Freedom of Religion
- Freedom of the Press
- Freedom of Assembly
- Right to Petition the Government for Redress

## 14th Amendment

- Equal protection under the law

## In Loco Parentis

- Defining “Relevance” as universal based on curriculum and standard, age, origin, identity
- Defining “Appropriate” and “Inappropriate” as particular to a family choice

# First Amendment is Not a Collection Development Rubric

Miller Test guidelines for a jury or judge to determine if an item is obscene:

(1) whether the average person applying contemporary community standards would find the work, taken as a whole, appeals to the prurient interest;

(2) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and,

(3) whether the work, taken as a whole, lacks serious literary, artistic, political or scientific value.

Why do we bring an item into the collection in the first place?

# Civil Rights and Human Rights

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Is there a rights-affirmative pathway to collection development, display, and meeting room use?

- [Title II of the Civil Rights Act](#) prohibits discrimination based on race, color, religion, and national origin in places of public accommodation.
- [Title VI of the Civil Rights Act](#) prohibits discrimination based on race, color, and national origin by programs that receive federal financial assistance.
- [Title VII of the Civil Rights Act](#) prohibits discrimination based on race, color, national origin, sex, and religion by state and local government employers.

# Forsyth County Schools and Title VI and Title IX

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USDOE Office for Civil Rights found that the school climate around book bans was hostile and discriminatory to students and violated their civil rights.

- Title IX - gender and sex
- Title VI - race and national origin

The OCR published a Resolution Agreement to hold the board and administration to support students' civil rights.

FC4ED coalition is committed to a local watchdog role.

# Vocabulary

## Appropriate / Inappropriate vs. Relevant

- Redefining “Relevance” to a population based on age, origin, identity, and/or subject matter
- Defining “Appropriate” and “Inappropriate” for a particular family choice

Can we make policies in line with Civil Rights protections for protected classes?



# Dealing with Challenges from Inside the Library

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Library policies and school board policies are the most-local expression of state and federal the law and the Constitution.

Policies embed library values and civil liberties.

Privacy, access, free expression, and equal protection do not originate with libraries and are not unique to libraries.

Go beyond virtues in your messaging. Stand on mission, vision, and values.

Good people will disappoint you.

# The Pre-Need Memo

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A general discussion of First Amendment court cases about public libraries or schools. There needs to be some discussion about the differences between public libraries and schools.

A review of state statutes and court cases about obscenity and harmful to minors relative to the exemptions or defense from prosecution for libraries and education.

A review of relevant state statutes about civil rights, human rights, discrimination, and GLBT protections that may be impinged by a categorical book ban.

A review of relevant state statutes about libraries, the role of a Board relative to any municipal authority, and any particular nuances within your relationship.

# What are your concerns?



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Building Voter Support For Libraries



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