

City of Mesa Library Advisory Board Meeting

Date: October 19, 2004
 Time: 6:30 p.m.
 Location: City of Mesa Main Library
 64 E. 1st Street

Members Present

Kay O'Connor
Chair
 Jaime Herrera
Chair-Elect
 Jim Driskill
 Michael Yates
 Alyssa Ratledge

Staff Present

Floran Becker	Brynn Burton
Molly Rice	Brandon Williams
Peggy Haney	Kathy Little
Trisha Sorensen	Marian Reisman
Elissa Smith	Lanty Snelson
Jan Klingaman	Kate Havris
Kate Havris	Heather Wolf

Members Absent

Liz Purtell
 Maria Mancinas

Guests Present

Bob Gottsfield
 Gary Klingaman
 Alex Finter
 Elizabeth McKay
 Jay Allen
 Ida Anderson
 Debbie Spinner, City Attorney

AGENDA ITEM	DISCUSSION
Call to Order	Kay O'Connor, Chair, called the specially convened meeting of the City of Mesa Library Advisory Board to order at 6:35 p.m. on October 19, 2004.
Approval of Minutes	Doug Gerlach moved and Mike Yates seconded that the minutes of the September 21, 2004 regular monthly meeting be approved as presented. Motion passed, all voting yes.
Public Comments	There were no public comments.
Board Planning Session	Ms. O'Connor suggested that we postpone the Board Planning Session until we have a new library director hired. Jaime Herrera moved and Alyssa Ratledge seconded the motion. Motion passed, all voting yes.
Director's Report	Trisha Sorensen presented the Director's Report that the board had received in the mail this past week. She reported on the library's highlights from the last month. Ms. Sorensen reported that an offer had been made to an applicant for the position of library director. The Board will be notified when a decision is made.
Filtering of Public Access Computers	Ms. O'Connor asked for citizens who requested the chance to speak to the Board. The first to speak was Alex Finter. He stated that his teenage children came to the library often and were recently confronted with obscene pictures on the computer screen at the Red Mountain Branch Library. He feels that the current filtering policy isn't working for teenagers who are using computers in the adult area. In his opinion the Library's Security personnel need better training and are spread too thin to be effective. He feels that our community's standard should be set higher. Mr. Finter also asked why we are the last library in the valley to set

AGENDA ITEM**DISCUSSION**

filtering? He reported that he has 2000 signatures of people supporting filtering at Mesa's libraries that he will be presenting to the City Council and Mayor. He said that he knows filters don't hit all sites but would like to see some filtering done. Next Ida Anderson spoke, saying that she felt filtering is needed. She is disappointed that we have not had it in the past. She stated that she is concerned about the people who view pornography being in the area. Jay Allen stated that he was there to present a legal basis for filtering. He discussed a murder that had happened where the killer had reportedly been into pornography from age 14. He felt that the library could be sued if some child was molested and it was shown that the molester had been coming to the library to view pornography. Elizabeth McKay, a mother of 6 children, works with Boy Scouts and Cub Scouts. She stated that part of one of the boys' badge requirements is to learn how to use the library. She is concerned about bringing the boys to the library for this training when the computer screens could possibly show pornography. Judith Smith stated her son, as a student, has come to the library many times. She reported that there had been twice he had come and had seen porn on the computer screens. She stated that she hated to see that we are feeding the minds of young children with pornography. Ms. O'Connor asked for board discussion. Debbie Spinner, Mesa City Attorney, stated that in a 2003 court case it had been decided that federal monies could not be obtained by libraries who did not filter their computers. The American Library Association challenged this ruling stating that it posed an infringement on 1st amendment rights. Ms. Spinner reported that the challenge was not successful. It was decided that libraries should seek to provide materials that are of greatest benefit to the community. The ruling does not restrict what we can filter. We will limit or filter sites that are deemed to not be of requisite or appropriate quality. Ms. Spinner then responded to the question, "What would it take to become CIPA compliant?" That would mean filtering anything that falls within the state's obscenity laws. The question was then asked concerning whether there should be an option to disable filters at a patron's request once the filters are in place. Ms. Spinner reported that we would still be CIPA compliant if the policy states that upon request filters can be removed. She stated that the situation where we might refuse to remove the filter upon request had not been addressed to date. She stated that action should still be taken to remove a patron viewing an inappropriate site. Ms. Spinner was then asked if the SmartCard would be in compliance with CIPA? She reported that there is nothing saying that we can't implement SmartCards. She then cautioned that if it were possible to just swipe the card might it not be possible that it could be used on the children's computers? She suggested that only designated computers be used for access with the SmartCard in order to allow monitoring more closely. Ms. Spinner then asked if there were any questions from the Board? Ms. Sorensen asked what the cost would be if we are not CIPA compliant. It was reported that approximately \$23,000 in grant funding would be lost per year. Ms. Ratledge commented that she felt the consequences for viewing inappropriate sites on the library's computers should be harsher with internet privileges being revoked earlier. Mike Yates agreed with her and stated that consequences are not strong enough for violating state law. Ms. Spinner reported that the duty is on the individual patron, not the library. The library presently filters computers in the youth areas but if inappropriate viewing is allowed to continue the library could be held responsible. It was felt that the consequences should be part of the policy that appears when a patron first signs onto the Internet, not on separate sheets. Ms. O'Connor stated that she felt there were two separate issues here. Jim Driskill feels that it would be appropriate to ask staff to come up with a revised policy with more bite to its consequences. Discussion followed regarding what should be included in the revised policy. Items mentioned were that we should filter adult content, nudity, and sex. Ms. Spinner said that she felt there would be less oversight needed with the SmartCard. Ms. Sorensen suggested that certain computers be selected to use when disabling the filters. Floran Becker reported that anyone 17 or under would automatically have filtered access. Mr. Gerlach stated that he agreed with earlier

AGENDA ITEM**DISCUSSION**

speakers but had a problem with the fact that filters don't actually work. He stated that we are kidding ourselves if we tell ourselves that filtering will make the criminals fewer. He said that he felt filtering was purely economically sensible, but that he does not kid himself by believing that filtering will accomplish the goal of preventing pornography on our computers. The three library administrators reported that they are comfortable with using SmartCards with certain computers being designated for removal of filters. Ms. Spinner once again stated that this would make us CIPA compliant. Some discussion by guests followed. Mike Yates presented statistics given at a previous meeting for guests information concerning valid sites that were affected by filtering. Mr. Gerlach stated that he would like to adopt a system that would bring the least demand on the staff. He suggested that everyone who is issued a library card is subject to the same filtering as children get now. If the patron would like unfiltered access they would need only to ask at the time the card is issued. Ms. Ratledge voiced her concern with filtering the entire nudity subject. She stated that this filter would severely limit searches regarding breast cancer, testicular cancer, and art sites such as Michelangelo's art. Ms. Spinner reported that she was unsure if we would be CIPA compliant if we did not filter the entire subject of nudity. Jaime Herrera stated that he tells his students to not ignore places where they might obtain information other than the internet. He said that someone who wants information will get it somehow. Ms. O'Connor stated that it appeared the Board was in favor of filtering but the issue was how to filter. She felt that the biggest issue is that we want to be CIPA compliant. Mr. Driskill asked staff what they felt would be easiest way. Ms. Sorensen asked the board to give the direction to implement a policy that would make Mesa Library CIPA compliant while still blocking information that did not conform to Arizona law.

Mr. Gerlach moved that the Board recommend to the City Council that staff develop a policy making us CIPA compliant with the understanding that patrons over the age of 17 are allowed to request removal of the filters. Motion passed, all voting yes.

Mr. Yates stated that consequences need to be more severe and sudden. He felt that on a patron's third offence their library card should be suspended for a year. He reported that the list of consequences should be a part of the internet policy that pops up on the computer screen for agreement. Ms. O'Connor asked if we could revisit this at the next meeting. Mr. Gerlach asked if staff would just factor this into the policy if the City Council asks staff to revise the existing policy. Staff agreed to bring the revised policy back to the board.

Announcements

There were no announcements.

Adjournment

Mr. Gerlach moved and Mr. Yates seconded that the meeting be adjourned. The meeting was adjourned at 7:58 p.m.

The next meeting will be November 16, 2004, 6:30 p.m. in the Main Library Board Room, 64 E. 1st Street.

Trisha Sorensen, Acting Library Director

Jan Klingaman, Scribe