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Intellectual Freedom and Privacy

A Core Value of Librarianship

Author _ Emily J. M. Knox (knox@illinois.edu), University of Illinois at Urbana-Champaign.

In January of 2024, the American Library Association Council approved an updated list of core values for the profession. These streamlined values are access, equity, intellectual freedom and privacy, public good, and sustainability. The new values have been met with criticism from some members of the community, including from ten past-ALA presidents who “advise that we take a step back, and re-evaluate the recent replacement of ‘our enduring values’” (Statement from 10 ALA Past Presidents Re ALA Core Values 2024). (Full disclosure: I was a member of the Core values task force). The ALA Council will appoint working groups to expand the basic descriptions of each value this year.

Intellectual Freedom and Privacy is defined in the core values statement as follows:

Intellectual freedom empowers people to think for themselves and to make informed decisions while respecting each individual's dignity and independence. Library workers encourage people to cultivate curiosity and form ideas by questioning the world and accessing information from diverse viewpoints and formats without restrictions or censorship. The right to privacy is a crucial safeguard to this freedom, ensuring everyone has the right to develop their thoughts and opinions free of surveillance. (Core Values of Librarianship 2024).

This journal will continue to explore this value as a forum for research, commentary, and news.

The current issue includes commentaries that discuss Florida's so-called curriculum transparency law, which went into effect in July 22; a discussion of predatory open-access journals; and an overview of possible areas of collaboration between the American Correctional Association and the American Library Association. There are also three peer-reviewed articles. The first focuses on a small survey of librarians who shared their impressions on the current book challenge crisis and its relationship to young people's First Amendment Rights. The second research article is a comprehensive analysis of how IT professionals in libraries protect patron privacy. Finally, the last article continues the journal's exploration of censorship in carceral institutions through a model of restriction across four dimensions.

Submissions to the journal are always welcome!

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Censorship in Florida

How House Bill 1467 Harms Students and Staff

Author _ Kristi Lynn Mosac (kmosac@eou.edu), Eastern Oregon University.

Imagine searching for a book in your school library, either for coursework or personal use. You find a title in the card catalog that is a perfect match for your needs. Searching, you look where it should be on the shelves, but it's not there. Curiously, you approach the librarian for assistance and are told these materials are no longer available as they have been deemed inappropriate for school.

This scenario, unfortunately, is all too real in the state of Florida. With the passing of House Bill 1467 in March 2022, many materials are no longer considered suitable in a school setting. Through the stringent wording of this law, school librarians will be forced to close their libraries, comb through the materials, and assess each title for its suitability. Should any library materials circulated be construed as harmful to minors, the law “warns that violators face a third degree felony charge” (Sheridan 2023a). Many of these librarians cover and manage multiple school collections in their districts and will be responsible for thousands of books, magazines, and movies. They will also be forced to receive retraining in their field to comply with the new law.

According to the American Library Association (ALA) website, eight of the top ten most challenged books of 2021 pertained to Black, Indigenous, and people of color (BIPOC) and LGBTQ+ stories, both fiction and nonfiction, often depicting true stories of their authors' lives. Access to these titles can be life-saving for some teens, as LGBTQ+ youth are “more than four times as likely to attempt suicide than their peers,” according to The Trevor Project (2022). Through the purging of these titles in Florida, the state is not only laying

an undue burden on the staff of these schools but also disregarding the welfare of a large portion of their students. With grassroots efforts, support from the public, and student activists, new legislation must be instated to tamp down the rampant censorship of materials intended to bolster the student population's understanding and acceptance of marginalized communities.

House Bill 1467, signed into law by Governor Ron DeSantis on March 25, 2022, went into effect on July 1 of the same year. One aspect of this law restricts inappropriate material in the classrooms and libraries of public schools. Touted as “curriculum transparency” (Dailey 2023), this law requires the creation of a searchable database of all classroom materials but also layers on the burden of creating the same for all materials in elementary school libraries. This has led to empty library shelves, locked doors to media centers, and classroom shelves being covered. These media specialists must review each book title, comparing them to an approved list. If not on the list, the title must then be vetted according to the criteria of the law. Keri Clark, a Duval County school district media specialist, tells *The Independent*, “The books are sitting out on tables, they're being boxed up and discarded.



It's just it's a really sad sight. A lot of the kids keep looking through the window and it's just it's awful that I can't let them come in and get books" (Hall 2023). Clark is estimated to have to comb through 37,000 books, magazines, and other media in two separate schools to complete this task, a heavy responsibility for one media specialist. This also comes with little and conflicting information that often changes daily. "The Florida Department of Education has been very vague with our directives and the state statutes. Our district is doing the best they can to get it cleared up whenever they can, but even they're confused." This confusion, created by these ever-changing policies, lays even more of an onus on these educators and media specialists.

These strictures placed upon the state's media specialists come on the heels of the release of its mandated training for school librarians. This training covers the criteria for selecting materials, collection development policies, selection and maintenance of materials, and training to help reviewers (Florida Department of Education 2023). This is on top of the graduate degree and teacher certification required by the state of Florida to be a licensed media specialist in a public school. The master of library and information science (MLIS) degree already requires courses in these fields, with at least one dedicated explicitly to collection development. The training video, released on December 28, 2022, was implemented at the beginning of 2023. Despite this training, Duvall County still has designated hundreds of books as "potentially harmful content" (Hall 2023). Although many of these books will eventually be returned to circulation, school librarians "have to seek input from parents before buying books and have to defend their choices in case of objections" (Pendharkar 2023). As such, the overly cautious scrutiny of these materials is understandable. This training is mandatory and must be reported yearly to the state by superintendents.

Another aspect of HB 1467 is that any member of the public can file a complaint about objectionable materials. This information is compiled into a yearly report and sent to the Commissioner of Education. These reports are gathered and dispersed throughout the state in a list of "which instructional materials received an objection, the grounds for that objection, the grade levels implicated, and how the objection was ultimately resolved" (Trimel 2022). According to PEN America's Jonathan Friedman, this will create "a centralized list of every objection leveled against a book, film, article, handout, or instructional software program somewhere in the state, school districts will be under enormous pressure to skirt all controversy and adopt only the safest, most anodyne materials possible." This equates to the abolition of LGBTQ+ stories, BIPOC authors and their works,

and anything that does not maintain the current conservative status quo within the state.

As for community objections, these do not have to be from concerned parents, but rather, anyone is eligible to file a complaint about library materials: "In St. Lucie County, district officials have received 21 book challenges from a Port St. Lucie resident named Dale Galiano" (DaRos 2023). These challenges are the only ones the school district received in 2022. Galiano, who is not a parent, "spends countless hours researching books, filing challenge forms, speaking at school board meetings, and fighting for her beliefs." Her intercession has led to five book bans and five books restricted to higher grade levels, many of which are LGBTQ+ titles. The remaining eleven titles have passed the initial committee stage, but Galiano has appealed these decisions. Her appeal begins the scrutiny again, forcing a new committee to be formed, titles read cover-to-cover, and recommendations given to the superintendent of schools. She received these titles from a list compiled by the Florida Citizens Alliance, a conservative group aiming to influence educational policies in the state. This report, titled "2021 Objectionable Materials Report: Pornography and Age-Inappropriate Material in Florida Public Schools," names more than 50 books that contain information about sex and sexuality, transgender issues, LGBTQ+ relationships, violence, and more. More than half of the books on this list pertain to LGBTQ+ issues.

The ALA's "Top 13 Most Challenged Books of 2022" list cites *Gender Queer* by Maia Kobabe and *All Boys Aren't Blue* by George M. Johnson as the two most challenged books in the country (American Library Association 2023). Yet these are just two examples of the hundreds of titles opposed each year in both school and public library settings. Last year alone, *Gender Queer* was challenged 151 times across multiple states for its LGBTQ+ content and claims of sexual explicitness. In *Gender Queer*, Kobabe, who uses the Spivak pronouns *e/em/eir*, writes *eir* story about coming to terms with being nonbinary and asexual, and has become "a useful and touching guide on gender identity—what it means and how to think about it—for advocates, friends, and humans everywhere" (Kobabe 2019). Johnson's *All Boys Aren't Blue* was challenged 86 times in the United States in 2022. Again, like *Gender Queer*, these challenges stemmed from the book's LGBTQ+ content and the purported sexually explicit nature. Published in April 2020, Johnson's (*they/them*) memoir comprises essays depicting their coming of age in New Jersey, the sexual trauma inflicted upon them at a young age, and their first consensual sexual experience as a teen. Their work addresses other queer young men of color who may not have access to a support system of their own.



Both titles are challenged based on subject matter; however, school boards, parents, and the community cannot remove materials from school libraries based solely on content. In the *Board of Education, Island Trees Union Free School District No. 26 v. Pico*, the Supreme Court ruled “that it is unconstitutional for a school board to remove a book based on the school board’s disagreement with the ideas expressed in that book” (Schroeder 2021). But this does not deter the banning of books in public schools. Under the guise of “educational suitability,” materials can still be removed. Though these books are challenged for their appropriateness, their removal is based on political motivations. House Bill 1467 states that school boards “must adopt a policy regarding an objection by a parent or resident of the county to the use of a specific material” (Florida Department of Education 2023). It further states that material that is “pornographic or prohibited . . . is not suited to student needs and their ability to comprehend the material presented, or is inappropriate for the grade level and age group for which the material is used.” By using the inflammatory language of “pornographic” in the House bill, lawmakers are rousing discord among their voter base.

In March 2023, the Florida Education Association, Florida’s most prominent teacher’s union, filed an administrative legal challenge against the state’s Department of Education. While not challenging HB 1467 directly, “the suit says the Department of Education expanded the scope of the law and went too far when it issued training for school librarians this year” (Sheridan 2023). By implementing both the training rule (stating media specialists are required to take yearly training for collection development) and the elementary school rule (wherein all classroom books are now subject to the same scrutiny as those in school libraries), the Florida Department of Education has essentially rewritten the law. Much like media specialists in the state, teachers have emptied their shelves of any but the most innocuous titles, sparking debates about empty shelves in both the school libraries and classrooms. The suit addresses the rules instated by the Department of Education, stating they “prevent most teachers from selecting materials for their own classrooms, foist uncompensated and time-consuming duties on teachers and librarians, effectively forbid parents from contributing books to their children’s classrooms, and impose a costly and burdensome requirement that schools catalog nearly every book, periodical, or other media on their premises” (Sheridan 2023). Governor Ron DeSantis has criticized proponents, stating that empty shelves in the classroom were a hoax, yet school districts are telling educators to regulate access to unapproved classroom materials.

A conservative group, Moms for Liberty, has had members appointed directly to the “council tasked with creating

restrictions for public school libraries” (Rahman 2022). Without prior teaching or experience, Moms for Liberty leader Michelle Beavers was chosen as a council member. She is also the Brevard County chapter of Moms for Liberty chairwoman, which has challenged multiple titles since the group’s inception in January 2021. The Brevard chapter “is targeting titles for ‘perceived obscenity’ according to a post on the Moms for Liberty website” (Dailey 2022). Another council member, Jennifer Pippin, chairs the Indian River County chapter. She “has submitted suggestions about what should be included in the librarian training, such as filtering books for certain keywords or phrases before they are purchased.” While the Moms for Liberty website cites “perceived obscenity” as its end goal for purging books from the school libraries, which is loosely allowed under *Board of Education v. Pico*, Pippin’s plans for targeting specific words and phrases are not. By doing so, the council would violate the students’ First Amendment rights.

New grassroots movements have sprung up to combat these conservative groups aiming to censor library materials in public schools. The Florida Freedom to Read Project, a progressive interest group opposing book bans, “has been tracking book challenges through public records requests and maintaining a database to keep tabs on which books are restricted, where” (DaRos 2023) and were co-plaintiffs in the Florida Education Association’s lawsuit. Out of the 600 calls for bans in Florida, “313 have been challenged by conservative special interest groups.” Stephana Ferrell, the co-founder of Florida Freedom to Read, stated that, according to their data, “Outside of that, there’s been only 20 titles with challenges brought by parents saying they were concerned after a child brought home a book from school.” The other 267 challenges “were initiated by leadership, who have seen the books challenged in other counties.” Red Wine & Blue, another community-led group dedicated to ceasing book bans in public schools, was founded in 2019 by Katie Paris “with the purpose of activating primarily left-leaning moms around local and school issues” (Yousef 2022). With Florida Freedom to Read, Red Wine & Blue created a campaign called Book Ban Busters, which hosts an online Banned Book Club and offers training for community organizations, speaking out at school board meetings, and assisting candidates running for the local school board. These groups are working toward agendas that set policies in the classroom. Throughout the pandemic, these parents have waged wars “over mask mandates, vaccines and inclusive education. Locally, conflicts over book bans are often framed simply as the next in that series of culture wars. But to some political science experts and historians, the book bans resemble censorship campaigns that could strike at the very heart of democracy”



(Yousef 2022). While the political climate in Florida lends itself to conservatism, these activist parents and community members are pushing back to fight for students' rights to access information.

Student advocates have also stepped up to oppose HB 1467. At a Pinellas County School Board meeting in February 2023, students rallied behind Toni Morrison's *The Bluest Eye* after it was pulled from the curriculum. Morrison's novel is cited as the number three most challenged book in the ALA's "Top 13 Most Challenged Books of 2022" for depictions of sexual abuse; equity, diversity, and inclusion (EDI) content; and claims of sexual explicitness (American Library Association 2023). The Pinellas County School Board's argument for removing the book from the course stems from two pages depicting a young character's rape by her father. Eliza Lane, a 16-year-old student, addressed the legal implications of taking *The Bluest Eye* off the shelves at her school:

For one, Florida law says a book's literary merit on the whole must be considered, she noted. "*The Bluest Eye* was banned, to my knowledge, for pornographic content. Pornography is defined in these guidelines as a depiction of erotic behavior intended to cause sexual excitement. That is not the purpose of those passages in *The Bluest Eye*. It is to shock and horrify readers into empathy for this character. And to help us to realize the flaws in our own society" (Sheridan 2023a).

These students are utilizing existing laws to critique the censorship of materials in their schools. Along with their parents and teachers, they also "questioned why the book challenge did not follow established procedures, and why the decision to pull the book from school shelves was made so hastily" (Sheridan 2023a). This calls back to the enforced training, which stipulates that media specialists and administration should err on the side of caution when circulating

materials and the felony charges that can be placed upon staff who distribute inappropriate content that is unsuitable and harmful to minors. The students, however, disagree with this sentiment, with remarks ranging from their capability to handle the material to the safety of a classroom setting when discussing such highly charged topics. While too young to vote, these student activists are the future of Florida and its laws.

House Bill 1467 was drafted and passed to prohibit educators from distributing inappropriate materials to students. By using inflammatory language, such as "pornographic," to describe these undesired works, the Florida House of Representatives has played to the fears of the public: indoctrination of their children. When analyzed, most works targeted on these collected lists are written by or about BIPOC or LGBTQ+ authors and characters. Targeting these specific marginalized groups shows a concerted effort to diminish these voices. By hindering the state's media specialists and teachers with bureaucratic procedures to inspect all of the materials in the school libraries with the threat of criminal charges laid upon them should they hand out anything deemed inappropriate, they are obstructing the students' education. The only way to combat this censorship is through policy change. Parent and community interest groups are leading this shift in Florida by educating the populace on their right to defend their children's education and ways to enact change. Through advocacy, support, and legal means, these parents assist others in fighting this threat to Florida students. The other leaders in this fight, the ones who have the most on the line, are the students. These student activists have stepped up to confront school boards over the diminishing caliber of their education through this censorship. As these students age into voters, they will be able to enact a fundamental transformation in Florida's government policies and the educational system.

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Pay to Play—Publish for a Price

The Myths and Manipulation of the New Corporate
Open-Access Journals

Author _ Harvey J. Graff (graff.40@osu.edu), Professor Emeritus of English and History and Ohio Eminent Scholar in Literacy Studies at Ohio State University.

As publish or perish turns into publish *and also* perish, academic journals have transformed. As I explain in “Peer Reviewing is Becoming More Cavalier, Self-Serving and Ignorant” (*Times Higher Education*, June 2, 2022); “Academics’ Publishing Options are an Ever Wilder West. Beware!” (*Times Higher Education*, June 24, 2022); and “Editors Have Become So Wayward that Academic Authors Need a Bill of Rights” (*Times Higher Education*, August 18, 2022), this is *not* for the better.

The newest site of scholarly misconduct is fraudulent Open-Access pseudo-publishing by South Asia-based (especially Bangladesh) “corporations” with pay-for-play predominantly online so-called journals. Incessant email spamming with disregard of repeated requests to unsubscribe led me to investigate them.

That inclination intersected with the increasing failures of other journals’ reviewers and editors. This combined with higher education periodical and business page reports on debates on the movement toward Open Access publishing and its conflicts with traditional subscription and academic organizations’ periodicals led me to conduct a controlled experiment.

I chose three similarly named new “journals,” all with the same pronouncements and publishing arrangements. Their only difference is that two charge a publishing fee of \$200 and the other \$100. Unlike other, more established Open Access journals who waived their fees for a retired professor

with no institutional support, none allowed any exception to pay for play. They are:

- *Journal of Arts and Humanities*, LAR Publishing
- *Journal of Humanities and Social Sciences Studies (JHSSS)*, Al-Kindi Center for Research and Development (KCRD)
- *Journal of Liberal Arts and Humanities (JLAH)*, American Research and Publication Center (APRC)

Despite having US addresses, the communications of all three are marked by poor English; no sign of actual reading, review, or familiarity with my essay; poor communications in general; rapid acceptance with no suggestions for revision; almost immediate posting online after fee paid; and incessant obsession with payment.

All promise unprecedented, question-provoking turnaround. Two commit to a publishing decision within two weeks of submission; the third a decision within seven



days for an additional \$50. All claim to be Open-Access, double-blind, peer-reviewed monthly or bi-monthly online first publications

The periodicals' excessive self-promotion aims at luring younger scholars and those desperate for publications for many possible reasons. One's "Wider Exposure and Increased Citations," for example, distortingly claims, "Publishing in open access instead of in toll-access an [sic] help open up research to a wider audience by allowing readers free access and the right to distribute published articles. Increased number of readers results [in] an increased number of citations for the authors. Studies have shown a significant increase in citations when article are made openly available." No studies are cited.

Publisher of five generic, undefined online journals, LAR falsely attempts to counter certain "myths" that they themselves fabricate. Among the false assertions is that these publishers are not driven for profit-making.

Dishonestly, they contradict and confuse themselves with their own "Myth 3: Open Access articles and journals are not peer-reviewed. False. A journals [sic] access policy, whether open access or toll-accessed, does not determine its peer review policy." I do not know what they mean.

Since none state the now anachronistic practice of only sending the same manuscript exclusively to one publication at a time, I submitted one essay to all three. All quickly accepted my article with no evidence of anyone reading, reviewing, or being familiar with my text. They danced together in their unclear communications; muddled practices; and constant emphasis on speed and especially payment. They easily could be one profiteering operation, not three.

First to respond was *Journal of Arts and Humanities*, published by LAR with a Beaverton, Oregon, address. They offer seven-day review for an additional \$50. Printing and shipping are "outsourced (offshored) from China, Bangladesh and Thailand."

Six weeks after submission, I received two identical acceptance emails from two different email addresses. Each announced, "The reviewers have recommended your paper for publication, subject to minor revisions." They urged speed in my response.

The "reviews" and suggested "minor revisions" made no sense. They demonstrated no familiarity with my essay. "I suggest the author to revised [sic] the introduction section a bit to develop the motivation and the flow of the discussion." Irrelevantly, the boilerplate review goes on, the introduction "should present . . . background and the idea of the study [including 7–8 citations] . . . then present the brief of methodology, then present the main findings briefly. . . ." And so on.

I responded by asking the editor for clarification. Repeating the comments without elaboration, they admitted that the comments are "a checklist," therefore not a peer-review.

I declined acceptance and payment of \$200 (via a link that did not appear in the emails).

Journal of Humanities and Social Sciences Studies (JHSSS) was second. It self-promotes: Founded in 2019, "it covers the latest developments in the broad areas of the humanities and social sciences. With its uniquely broad coverage, the journal offers readers free access to all new research issues relevant to humanities and social sciences. While the journal strives to maintain high academic standards and an international reputation through the suggestions of the international advisory board, it welcomes original, theoretical and practical submissions from all over the world."

With the others, it promises "Continuous Publishing and Rigorous Review Process. . . . Articles are published in the current issue as soon as they are peer-reviewed, accepted, copyedited, and proofread, allowing a steady stream of informative quality articles. . . ." Like others, it is published in English, Arabic, and French.

With no detail, they claim: Al-Kindi or KCRD "is a fast-growing academic organization that publishes high quality scholarly journals, proceedings, theses, and books, in both printed and online versions, across a wide range of academic disciplines, including economics, business, education, social sciences, humanities, sciences, etc." Its website lists only *International Journal of Linguistics, Literature, and Translation* and *Journal of English Language Teaching and Applied Linguistics*, in addition to *Journal of Humanities and Social Sciences Studies*.

I submitted on August 8, 2022; acceptance was sent on September 7. The Louisville, Kentucky-based editor wrote, "Thanks a lot for your interest in International Journal of Humanities and Social Science. Your research problem is of interest to us. Your manuscript has been reviewed by two reviewers. Please find the reviewers' comments and suggestions as attached with this letter. The editorial board has decided to publish your paper with no modification."

There were no reviews. Two tiny tables with "evaluation criteria" substituted: original contribution, well organized, author guidelines followed, based on sound methodology, analysis and findings support objectives of paper. I scored all "yeses." Comments and suggestions: "This paper will undoubtedly contribute to the existing field of research. This is a timely research. The paper is organized, especially in presenting the consistent thoughts. This paper can be published in its present form."

As with the other journals, this bears no relationship to my paper. There is no evidence that a human being, let alone



a qualified scholar, read a single word. The acceptance letter devotes at least as much space to instructions on how to send the \$200 payment to a person in Bangladesh, especially the correct spelling of the name. The “financial unit of the Institute is located in Dhaka, Bangladesh. The journal is published from New York. . . . Please inform the editor after making payment of the publication fee.”

The third is the *Journal of Liberal Arts and Humanities (JLAH)*, published by the American Research and Publication Center (APRC) with a Washington, DC, address. I submitted my article on August 28; acceptance arrived one week later on September 5. Repeatedly requested, the fee is \$100, and an additional \$30 for a xeroxed and stapled copy of 42 pages, delivered in a battered envelope from Bangladesh four months after it was promised.

ARPC claims nine generic, repetitive topic journals with no apparent focus or definition and no recognizable names of editors or editorial boards. *JLAH* is in its third volume year, and claims 12 “issues” per year.

The context- and content-less readers’ reviews almost perfectly mirrored the *Journal of Humanities and Social Sciences Studies*, albeit with one reviewer and eight categories rather than six. No specifics and no examples from my submission were given, only poorly expressed generalities and platitudes: “The paper provides a very thorough review of literatures. I appreciate the author to choose the type of topic for study. The paper is properly organized and demands appreciation. . . . Representing the dedication and knowledge of the researcher about the topic and skill in research.”

As with the others, most attention is devoted to payment, again in Bangladesh, to a person with the same last name (but a different first name) as the preceding journal. Can this be accidental? All the editors urged speed, instructing me to tell them when I made payment. In this case, I responded to the

lower price and completed my experiment. Using Western Union, as required for payment, cost an additional \$11.47.

Less than a week later, I received a Word file, not page proofs, for final review. In contrast to what I submitted, it was now a mess, especially with respect to spacing between and within words, paragraphs, and references. No editor or proof reader reviewed it, despite the erroneous statement: “prepar[ed] for publication.”

Despite my request to be informed when it was posted to the journal’s website and to be sent a link, I discovered it online in the “open” or “continuing” September issue by incidental checking three days later.

My experiment is complete. If the sample size is small, all data points agree. Despite repeated statements about double-blind peer reviews and no profit aims, there is no semblance of scholarly practices or standards, actual review by qualified academics, or any individual ever reading the submission.

Denial of profit-making and radically exaggerated promotion of open access versus traditional subscription journals are both contradicted by practice. The obsession with paying fees—in the Middle East—and immediately informing editors that the author has done so, speak loudly and clearly. So does the unbelievably short turnaround time, and the one journal’s fee of \$50 for a seven-day “review.” Publication and delivery are unprofessional.

This is no less, and no more, than pseudo-scholarly publishing for sale. It is tragically and unprofessionally inseparable from a time of increased pressures to publish for any kind of academic post, tenure track or not, and for promotion and tenure.

It is graft and grift for a new age. Let the buyer beware, as well as the professions and the professors.



The Next Library–Correctional Association Confab

Author _ Christopher M. Jimenez (jimenezc@fiu.edu), Associate Librarian, Information and Research Services Department, Florida International University.

The author examines the issue of censorship in prison libraries through the lens of the conflicting interests between the American Library Association (ALA) and the American Correctional Association (ACA). By referencing a recent PEN America report on prison censorship, the author highlights the concerns raised by prison librarians regarding the violation of library service standards and the denial of prisoners' Right to Read. The article delves into the historical collaboration between the ALA and ACA, noting a lack of joint efforts since the 1980s. It discusses the necessity for renewed collaboration and suggests the formulation of a joint statement to reform censorship practices specifically in prison libraries within correctional systems. The author concludes by underscoring the significance of updated standards and a collaborative approach to support prison librarians in fulfilling their professional obligations and ensuring prisoners' access to information and intellectual freedom.

The latest PEN America report on the state of censorship in prisons focuses on violations of inmate's personal property rights (Marquis and Luna 2023). However, "Section III: Content Neutral Bans" raises the specific concerns of current prison librarians—concerns over direct violations of the Library Standards for Adult Correctional *Institutions*, the ALA Council's *Resolution on Prisoners' Right to Read*, and the joint statement on *The Freedom to Read*, which is widely endorsed by several professional organizations.

For instance, to gain American Correctional Association (ACA) accreditation, most federal facilities need not employ a single librarian, and some states must only employ a single MLIS to run the entire system (Boyington 2020). Quoting from the PEN America report's survey of 20 carceral librarians:

Seventy-four percent . . . wanted to purchase items that are on banned lists, and another 58 percent said they have been

prohibited from offering literature for circulation after purchasing it. Seventy-one percent did not agree with censorship decisions that their prison's administration issued. Seventy-five percent said that although there was a clear policy on banning literature, there was no outlined procedure for librarians to appeal denied literature. Sixty percent said that policies were not followed clearly or consistently, and a mere 12 percent said that they were able to get materials approved on appeal. (Marquis and Luna 2023)



There is a definite conflict of interest between the principles, goals, and ideals of the two professional organizations vying to operate inside the prison industrial complex. The ACA strives to balance the protection of individuals against restrictive means of control and supervision for the purposes of public safety (ACA 2019). Hence, while the principled stances of the ACA are oriented toward the humanity of incarcerated persons, population control remains the core ideal of prison operations. Some facilities may be less restrictive, some facilities may be more restrictive, but all facilities must employ some restrictive means of control. This control necessarily applies to all facets of the complex, including prison libraries.

This control orientation is juxtaposed with the ideals of librarianship, which have prompted the composition of declarations and resolutions championing the rights of the marginalized to access information, including prisoners specifically. The 1992 *Library Standards for Adults in Correctional Institutions* declares in its philosophy section that “Library Services shall ensure the inmate’s right to read and their right to free access to information.” This section goes on to acknowledge that the prison library plays a role within an agency that has security priorities. By framing reading and information access as a right, the Standards situate the observed conflict of interest as a struggle between control and rights, between security and privilege.

A Brief History of ALA and ACA Cooperation

Conspicuously absent from the philosophy section of the 1992 Standards is any mention of the joint documents composed by the ACA and the ALA between the 1940s and the 1980s (ASCLA 1992). The foreword to the 1992 Standards records a brief history of collaboration between the two professional organizations. The initial document referenced was the *Objectives and Standards for Libraries in Adult Prisons and Reformatories*, which was approved in 1944 by both the American Prison Association (predecessor to the ACA) and the ALA. While the ACA went on to publish their own document—the *Objectives and Standards for Libraries in Correctional Institutions*—in 1962, the two professional associations were able to open a joint conversation to review and revise that document in 1966 which they called *A Manual of Correctional Standards*.

The *Manual of Correctional Standards* held sway for fifteen years, until the start of the Reagan presidency in 1981. At

that point, the ALA published their *Library Standards for Adult Correctional Institutions* with input from the ACA. That would prove to be the final collaborative project between the two associations, as the 1992 Standards would be published by the Association of Specialized and Cooperative Library Agencies (ASCLA), an arm of the ALA that was formed in 1977, without documenting contribution from the ACA.

During this 15-year lacuna, between 1966 and 1981, the ACA revised its *Declaration of Principles* (the ACA’s guiding documentation) in 1970, which was immediately followed in 1971 by the ALA’s *Prisoner’s Right to Read: An interpretation of the Library Bill of Rights*. Politically, the Nixon Administration enacted the *Controlled Substances Act* in 1970, setting the stage for escalation of “law and order” tactics that have exponentially increased mass incarceration in the United States. It is no wonder that as the goals of incarceration became more punitive, support for rehabilitative programs began to wane.

Moving Forward Together

The key question is how the ALA and the ACA can work together collaboratively as equal partners to effectively operate a functional library service within a correctional facility. The status quo, as evidenced by PEN America’s report, is untenable at best. At its worst, it fosters a situation that undermines the professional reputation and status of our colleagues who work as librarians in correctional institutions.

The newly expanded and revised *Standards for Library Services for the Incarcerated and Detained* is a sorely needed, welcome update to the 1992 *Library Standards for Adult Correctional Institutions*. This is especially true given the impact of the 1994 Crime Bill that the Clinton administration enacted since the standard was published two decades ago. Too much time has passed between revisions. The professionals who serve this population are entitled to standards that equip them to perform their duties at the highest level.

A joint statement between the ALA and ACA could significantly help reform the overly restrictive practices of censorship within correctional systems, especially as they relate to prison library operations and resources. Every effort should be made to bridge the 43-year silence between these two professional associations. It may be too late to come together for the forthcoming ALA Standard, but perhaps the groups may learn a lesson from their joint history and forge a path toward a more collaborative future.



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Current Trends in Book Challenges and the Right to Read

Nine Academic and Public Librarians Share Their Candid Thoughts

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While the global pandemic has held the attention of many individuals worldwide, a different kind of pandemic seems to have taken hold in the United States. According to the American Library Association's (ALA) Office for Intellectual Freedom (OIF), books were challenged three times more frequently during the last four months of 2021 than during a comparable period in the previous year. The office recorded 330 various attempts to censor reading materials during that time. Increasingly, educators and librarians especially are facing challenges, threats, and harassment as they navigate this changing landscape. In fact, in the opening months of 2023 several state legislatures are considering legislation targeting books, reading, and intellectual freedom.

ALA has become so concerned about these challenges that its executive board and the boards of directors for all of its eight divisions released a joint statement regarding attempts to remove materials that focus on the lesbian, gay, bisexual, transgender, queer/questioning, intersex, and ally+

(LGBTQIA+) issues and books by Black, Indigenous, or persons of color (BIPOC) authors or that document the Black experience; strongly condemning these acts of censorship and intimidation, the statement read in part:



In recent months, a few organizations have advanced the proposition that the voices of the marginalized have no place on library shelves. To this end, they have launched campaigns demanding the censorship of books and resources that mirror the lives of those who are gay, queer, or transgender or that tell the stories of persons who are Black, Indigenous, or persons of color. Falsely claiming that these works are subversive, immoral, or worse, these groups induce elected and non-elected officials to abandon constitutional principles, ignore the rule of law, and disregard individual rights to promote government censorship of library collections. Some of these groups even resort to intimidation and threats to achieve their ends, targeting the safety and livelihoods of library workers, educators, and board members who have dedicated themselves to public service, informing our communities, and educating our youth.

Through this statement, ALA's intention of protecting First Amendment rights, such as the freedom to speak, read, and publish, is crystalline, further expressing solidified opposition to any efforts for coercion and suppression of opinions and expressions. ALA has taken the stance that a democratic society guarantees all citizens an unfettered exchange of ideas and opinions without fear of retribution. Book challenges and censorship issues have been on the increase during the last US presidency and afterward; in fact, Deborah Caldwell-Stone, director of ALA's OIF, stated censorship issues are occurring so frequently that the organization can't keep up with the new occurrences and is unable to provide an update due to the unprecedented amount (CNN 2021). While the recent surge in complaints may be new, challenges against books for various reasons are not novel. Typically, in the past they have focused on concerns about profanity, sex, violence, or religion. But recent challenges often fit into the categories of race and gender identity, perhaps reflecting the political and cultural divide that seems to have swept through the nation. Thus, it is appropriate to provide a brief history of book challenges and censorship before addressing recent trends more thoroughly. This article highlights how these challenges often relate to race or LGBTQIA+ themed children's and young adult books, shares the thoughts of nine public, school, and academic librarians about censorship, and reflects on the importance of the First Amendment rights for young audiences. Survey questions sought their beliefs about children's Right to Read and what might make a book controversial. We also examined their reactions to book challenges and how prepared they feel to handle possible book challenges. Finally, through the data analysis process, we further discussed how their responses fit within the trend of increased book challenges.

A Brief Review of First Amendment Rights and Book Challenges Against Children's and Young Adult Literature

Book challenges matter not only for the immediate communities they serve but also for the larger communities around them since so much information today is easily accessible and ubiquitous. Because of this abundance of sometimes conflicting information, individuals must be able to obtain, discern, and evaluate the information for themselves. Children and young adults are vulnerable because adults troubled by certain viewpoints or subject matter may attempt to hide or remove materials that they find offensive by challenging artwork, books, and films. Ultimately, these challenges mean that many readers lose the chance to read materials with conflicting viewpoints and decide for themselves what they believe to be true. A sound democracy is predicated on the assumption that citizens are informed and that intellectual freedom must be guaranteed so that readers can access relevant information without restriction.

The ALA's Intellectual Freedom Manual (2021) states that minors' First Amendment rights are not defined as broadly as those of adults in the school context; however, there are court cases that seem to protect their access to materials. For instance, in *Board of Education v. Pico* in 1982, the Supreme Court supported students' freedom of speech and expression after the Board removed 11 books from school libraries.

Contrary to recent entreaties to remove books from shelves to "protect" young adults, organizations such as ALA, the National Coalition Against Censorship (NCAC), PEN America, and the National Council of Teachers of English (NCTE) stand guard against censorship, promoting intellectual freedom of literary materials rather than censorship. Although some parents and concerned parties attempt to challenge children's and young adult books with the intention of protecting them from sexually explicit language and age-inappropriate or mature content, the act of censorship often results in harmful consequences to children (Scales 2021). Limiting access to information, thereby imposing the prejudicial thoughts of some adults, can easily undermine readers' abilities to make good judgments about sensitive and controversial issues. In fact, this type of censorship may deprive them of opportunities for critical observations and reflective thoughts, ultimately putting them in danger of being uninformed or misinformed.

Even as the global pandemic seems to be receding in intensity, the opposite appears to be happening when it comes to book challenges. A look at the 2022 map maintained by the NCAC (<https://ncac.org/youth-censorship-database>) shows that there were 130 incidents of books



being challenged across the country, primarily by parents, for various reasons. It seems that almost every week, yet another book title comes under intense scrutiny, leaving authors, teachers, and librarians to deal with the fallout.

Recent Challenges and Critical Race Theory

Several recent book challenges relate to concerns or misinterpretations of critical race theory (CRT). Separating the ideology of democracy from politics is ideal when considering intellectual freedom; however, some state lawmakers choose to politicize it as part of their agenda. Their arbitrary attempts threaten to tamper with freedom of expression and even human rights, thereby causing more confusion for children and young adults. For example, most recently, Texas Governor Gregory Abbott sent a letter to the Texas State Association of School Boards calling for the removal of what he and others considered to be pornographic, obscene, or inappropriate literary materials from school libraries. In the letter, Governor Abbott stated, “rightfully angry parents’ should be able to shield their children from public schools that provide or promote pornographic or obscene materials to students” (Falcon 2021, x). Abbott subsequently pressured Texas school boards to develop guidelines to block numerous library materials and books for possessing sexually explicit content without having evaluated the nature and purposes of the books under consideration.

Afterward, Texas Republican State Representative Matt Krause created a 16-page list of concerning books (500 fiction titles and 349 nonfiction titles), sent the letter to the Texas Education Agency, and asked if the agency could investigate any schools that possess those books and if so, how much the schools spent on these books (Ellis 2021). According to Ellis, these books relate to House Bill 3979, the Anti-Critical Race Theory Bill. The disturbing part of this movement is that many of the selected books include award-winning books. Additionally, many of these books teach children about basic human rights, sex education and reproduction, race and ethnicity, and LGBTQIA+ individuals and issues. Of the “questionable” books, 605 (71.26%) of these books were written for young adult learners. Additionally, 509 books on the list relate to LGBTQIA+ people and issues, including gender-nonconforming and transgender characters. The Anti-Critical Race Theory law in Texas aims to prohibit local schools from using teaching materials that might cause any student to feel guilt or discomfort. Ellis expresses concern that students should be able to explore and examine questions rising from sensitive topics such as their human rights, sexuality, power relationships, and racial issues.

Martínez (2021) from WITF Pennsylvania Local TV and FM Station reports that 22 state legislatures have already passed bills banning teaching CRT in public schools in a misguided attempt to shield children from procuring information from literary materials. Officials in some school districts assume that teaching about differences can be harmful to many students because it might create a hostile learning environment. As Sawchuk (2021) points out in a poll from Parents Defending Education, an advocacy group for parents, some individuals worry that the takeaway from discussing race is that “white people are inherently privileged; while Black and other people of color are inherently oppressed and victimized; achieving racial justice and equality between racial groups requires discriminating against people based on their whiteness” (para. 25).

Explaining CRT is a daunting task as its concept is deeper and more extensive than the title of the theory itself, and providing a one-sentence definition is almost impossible. Although race itself is a social construct, the theory maintains that racism and discrimination are embedded in institutions as well as individuals (Sawchuk 2021). In education, CRT refers to acknowledging and opposing many types of inequalities and injustice that exist among students and in institutions. Educators typically discuss historical accounts through reading picture books or chapter books with students. Therefore, while it is true that many historical events related to CRT can be disturbing for some students because these sensitive topics address violence, racism, and discrimination against minorities, it is important to note that CRT itself is primarily a concept possibly included in teacher education programs or graduate-level programs. However, it is not typically emphasized when instructing K-12 students.

As Powell (2021) from the *New York Times* posits, Krause’s motive for prohibiting schools from teaching students about topics such as the Trail of Tears, slavery, racism, and the Civil Rights Movement is unclear. Educators cannot merely separate historical topics from the existing instructional curricula, which begs the question of whether banning a book on a certain topic also means banning the topic itself. Although many teachers and librarians requested responses to their concerns from the state, they have not received any feedback because these states have difficulty rationalizing their reasons. Many educators are now unsure what their state government expects them to do or how to teach history without some mention of race or slavery. In fact, imposing premature and contradictory policies and practices further adds unnecessary fears and burdens on students, teachers, librarians, and learning communities.



Continued Pushback on LGBTQIA+ Themed Books

In addition to books related to race, another frequent target of parents and concerned groups is books about the LGBTQIA+ community. While some might argue that there is more acceptance of LGBTQIA+ individuals, Steele (2020) maintains that LGBTQIA+ literary materials are still the subject of censorship. Some state legislatures attempt to limit funding for libraries that do not comply with restrictions on these literary materials (Barack 2005; Oder 2006; Steele 2020).

LGBTQIA+ literary materials have been subject to censorship throughout the twentieth century, and this tendency is likely to continue (Steele 2020). The OIF has published the top ten most challenged books annually since 2000. From 2000 to 2009, 5,099 children's books were challenged; out of that number, 361 books were challenged due to homosexual themes. Between 2000 and 2005, only four LGBTQIA+ titles were marked on the top ten list. After 2006, however, more LGBTQIA+ children's books began to appear on the list, such as *And Tango Makes Three* by Justin Richardson and Peter Parnell (2005), which made the top ten Most Frequently Challenged list eight times since 2006, frequently being the most challenged book. Another example, *I Am Jazz*, by Jessica Herthel and Jazz Jennings (2014), also made that list four times between 2015 and 2019. Finally, in a more recent example, a chapter book about a transgender fourth grader, *George* (now published under the title *Melissa*) by Alex Gino (2017), was marked on the top ten list five times from 2020.

Challenges to children's books are certainly not a new trend in education or libraries, but they seem to have become increasingly politicized in recent years, especially related to LGBTQIA+ topics. A brief history of some of these challenges is revelatory. As one of the examples, Scales (2021) reports that the school superintendent removed all copies of *Annie on My Mind*, written by Nancy Garden (1982), due to its depiction of homosexuality, from the junior high and high schools in Olathe, Kansas, in 1993; however, in the fall of 1995, the US district judge ruled that the removal of the title was unconstitutional because doing so violated the students' First Amendment rights (Stepanuik 2018).

In a similar case brought to the federal court, *Sund v. City of Wichita Falls, Texas* (2000), Steele (2020) also reports that *Heather Has Two Mommies* by Lesléa Newman (1989) and *Daddy's Roommate* by Michael Willhoite (1990) were ultimately returned to their original public libraries after a temporary injunction was filed in 1998 when Reverend Robert Jeffress, the pastor of the First Baptist Church, refused to

return copies of *Heather Has Two Mommies* and *Daddy's Roommate* to the community libraries to keep them out of the hands of others. Supporters of these books, including the local chapter of Parents and Friends of Lesbians and Gays (PFLAG), protested the pastor's actions as a First Amendment violation. Scales (2021) also maintains that while challenges against children's books occur, it is rare that these books are completely removed from the library shelves; still, no library or classroom is immune to the act of censorship or challenges.

How Librarians Have Faced Book Challenges and Censorship

Only a handful of academic articles illustrate how librarians have faced book challenges and censorship. After a review of articles and books (Nye 2020) about book banning and censorship on Google Scholar relating to research studies of book challenges and censorship, we found that the focus was not necessarily on librarians. We also explored various academic databases and journals, such as the *Journal of Intellectual Freedom and Privacy*. However, most published articles were personal accounts of librarians' experiences with book challenges. While many librarians work daily to preserve the freedom to read, it is also true that some administrators quietly remove books, avoiding potential controversy from conservative politicians and concerned parents (Natanson 2022).

Natanson (2022) further reports that interviews with librarians in eight states and a dozen school districts revealed similar incidents of school administrators' attempts to remove controversial library materials from their libraries. Sadly, despite their roles in protecting patrons' Right to Read, many librarians are compelled to self-censor, even refraining from recommending and reading aloud certain books to children visiting the library. For instance, Samantha Hull, a librarian in Lancaster, Pennsylvania, quoted in Natanson's article, mentioned that she feels the chill of disapproval from others even though she herself remains stalwart in her support of the Right to Read.

Harris and Alter (2022) also report this "chilling effect" of book bans in the *New York Times* through Caldwell-Stone's quote, "You live in a community where you've been for 28 years, and all of sudden you might be charged with the crime of pandering obscenity" (5). They report that she further states, "If you focus on five passages, you've got obscenity" (5). "If you broaden your view and read the work as a whole, you've got Toni Morrison's *Beloved*" (5). Challenges about books often result from parents' focusing on one or two passages that they may misinterpret or complain about without reading the entire book.



When working at the ALA's OIF, Doyle (2017) revealed that many librarians would contact him because they feared losing their positions if they disagreed with the school administrators and principals, the library board, and local politicians. The levels of support varied depending on the situation, such as listening to the type of problem a library is handling, providing more specific strategies, or offering some guidance for legal counsel (Doyle 2017). However, pressure from other parties also reinforced many librarians to practice self-censorship (Oltmann 2016).

Oltmann (2016) examined public librarians' perspectives on censorship and collection development with 251 library directors and certified librarians in Ohio. She heard from 108 eligible respondents and examined their responses regarding pressure, intellectual freedom statements for collection development, non-selection factors such as duplication of the resources, falsehood, inaccuracy of information, biased, age, local community culture, and personal beliefs. Regarding pressure, the author reported a number of librarians said some pressure from a conservative colleague and board of trustees or people not associated with the library had an impact when they acquired, withdrew, labeled, or relocated materials. For example, one of the respondents said, "Our director would not allow us to circulate the book *Go the F... to Sleep* because she said it looked too much like a picture book, and a child might accidentally pick it up" (29).

We are likely to believe that conducting such a study in a particular state makes the findings specific to the research context. However, in the conclusion Oltmann (2016) elaborated that "only 3.7 % reported that they had not selected something out of fear of negative community response" (42–43). Most participants thus supported intellectual freedom; local community characteristics did not directly reflect how these librarians would handle freedom of choice in the study. In future research studies, she recommended further exploring non-physical collections such as online collections, including music, video, and other genres. In addition, it would be beneficial because internet filtering makes self-censorship among librarians more complex, but few researchers have explored this area yet.

Watson (2020) also scrutinized how anti-sexuality groups and religious morality groups attempt to pressure librarians and oppress library freedom via the home pages. By labeling material as pornographic, the groups tend to attack LGBTQIA+ materials in the database providers, such as EBSCO, and online intellectual freedom information related to homosexuality and trans people, prostitution, birth control, and sex trafficking. In addition, the researcher reported that many anti-sexuality groups focus

on the national level when attempting to attack controversial issues, which makes it essential that librarians collaborate with local community members to muster local support against book challenges. Although many libraries and school districts have policies for handling book challenges, some boards tend to ignore those policies, perhaps out of fear of angering constituents.

Another problematic element of self-censorship is *identity censorship*, according to Becnel and Moeller (2021). The Comic Book Legal Defense Fund (CBLDE) defines identity censorship as not criticizing content of a pornographic nature but LGBTQIA+ characters that are part of the story. The authors argue that identity censorship is especially problematic because school curricula and communities often cancel, reject, or even ban literary works because of disturbing features they believe are merely present in the literacy materials. Thus, Becnel and Moeller agree that all librarians should be familiar with book challenges and censorship policies. Additionally, they advocate that universities' library information science graduate programs should more explicitly teach students about identity censorship or librarians' self-censorship issues and address ways to prepare for book challenges.

There is no perfect approach or solution for book challenges and censorship. However, establishing policies helps librarians understand readers' First Amendment rights. The ALA's *Intellectual Freedom Manual* from the OIF (2021) suggests that librarians follow the essential principles of maintaining intellectual freedom in a library, thereby striving to protect the First Amendment rights of readers:

1. Create a culture that supports and nurtures intellectual freedom.
2. Develop written policies that sustain the intellectual freedom of library materials and information.
3. Formally adopt ALA statements as a policy for their libraries.
4. Consult this manual.
5. Ask for help when facing a challenge or concern about censorship and any complaints about library materials and resources.

(A modified version rewritten by the article authors.)

The NCTE Intellectual Freedom Center's *The Intellectual Freedom Guidelines for the Student's Right to Read* and the guidelines from the ALA's OIF are additional valuable resources for librarians. Concerned individuals may also benefit from asking for help, reporting incidents to these organizations, and presenting about book challenges at professional conferences.



Perceptions and Reactions from the Field

The issue of book challenges is not limited to a specific area such as the conservative South. The authors of this article, all literacy or literature teacher educators, live in different regions in the United States, including the Midwest, Northwest, and Northeast. Noting the trends in book challenges reported in the media and some of the trends in our communities, we were curious about the thoughts of librarians since they are the ones who are most likely to have insight and knowledge about these critical issues, and in a sense, are the gatekeepers when it comes to book selection, display, and recommendation. Mindful of Flick's (2017) assertion that "qualitative researchers are interested in people who are 'really' concerned and experienced with the issue under study" (39), we presumed that many librarians have strong feelings about this topic. Furthermore, even though not all librarians have experienced book challenges, many have professional peers who have, which might raise their awareness and prompt strong feelings about the topic.

Participants and Questions

Since not all librarians are familiar with censorship or challenged books and some might not feel comfortable sharing their thoughts with us, we initially approached librarians with whom we were already familiar through our own work in academic settings. As they work in academic or higher educational settings, most shared their experiences and thoughts with no hesitation. Some referred us to other librarians. We ultimately involved public and school librarians through referrals from other librarians as well as social media outreach. It was much harder to obtain responses or even participation from public and school librarians due to anxiousness about expressing their thoughts or being recognized by community members. Some volunteered eagerly at first but then withdrew from the project as more book challenges were described in the media even though their privacy was protected and the data was completely confidential, possibly hinting at fear of reprisal or judgment from others.

After choosing the librarians to be interviewed, we focused on the guiding questions we wanted to answer in our research project: What is the current state of censorship? What do individuals find controversial these days? What part do librarians, either privately or publicly, play in the censorship process? We have served on thirteen book award committees, attended national conferences focusing on censorship-related topics, provided hours' long lectures in literature classes on the topic each semester, and written journal articles about the topics; therefore, we drew from our previous experiences when developing the interview questions. To try to answer these guiding questions, we brainstormed

questions that would be appropriate to gauge how participants felt about the current state of censorship.

After Zoom discussions and email exchanges, we narrowed our focus to five to seven questions from a longer list, focusing on those that were particularly appropriate for librarians and keeping in mind that "questions may be site-specific because of the uniqueness of their profession as librarians (Marshall and Rossman 2016, 82). It is important to note that after reading the responses and when we needed clarification, we sought a follow-up response.

When it came to selecting possible librarians, we first made sure our participants had some experience and knowledge about the topic. Then, we decided that purposive and convenience sampling techniques were the most appropriate methods which would be "likely to generate useful data for the project" (Patton and Cochran 2002, 9). We also considered "easy accessibility, geographical proximity, availability at a given time, or the willingness to participate" (2). We asked each librarian interviewee if they would prefer to respond by phone, in person, or by email with most choosing email due to convenience; in addition, participants signed a consent form which included information about risks and confidentiality. Finally, as part of the Institutional Review Board approval, we agreed to provide pseudonyms for our participants so they could freely speak about the topic.

For data analysis, we took the thematic and descriptive approach described by various authors in the field; more specifically, we followed Patton and Cochran's (2002) *overall* strategy of reading the responses, identifying themes, developing a coding scheme, and finally coding the data. We read through the responses as they arrived in order to be "well versed in the topic or discipline addressed in the study" (Saldaña 2021, 53). Then, we continued to follow Saldaña's strategy before our Zoom meetings by taking the raw data, making preliminary jottings as the data arrived, and then assigning a final code collaboratively during meetings. During our last meeting, we agreed on the themes, which are detailed in the following paragraphs.

Librarians Tell Their Stories

Of the nine librarians, three (Penny, Sydney, and Theresa) work at public libraries serving their local communities in the Northeast, three (Lindsey, Julia, and Peter) serve as academic librarians in the Northeast and Midwest, and three (Karen, Avery, and Becca) work in the K-12 setting as school librarians in the Midwest and Northeast. The size of libraries varies depending on each city's population each city. Penny is the director of one of the local public libraries; she is the only certified librarian in her small municipal library. Sydney works as a head youth librarian, and Theresa works as



a librarian for youth in another local library. The three academic librarians work in two settings: small, private universities as well as large, regional state schools. The K-12 school librarians work in various settings assisting students with research projects, guiding them in their reading choices, and collaborating with teachers. One apparent difference from their responses is that academic librarians appear to possess more freedom to approach a book challenge than public and school librarians as they work in a higher education context. It seems that this gives them more flexibility for handling any book complaint, and they rarely receive many book challenges. However, it appears that public and K-12 school librarians who serve a more general population face more complaints and book challenges.

Reading Provides Critical Thinking Skills, Informs Society, and Builds Empathy

As might be expected, all nine librarians were able to articulate why the Right to Read is so fundamental in our society, and some posited that it is essential that citizens in a democracy are informed and that libraries serve the entire community. Specifically, Penny stated that “critical thinking skills as well as empathy” are essential to the Right to Read movement while Sydney considered that “with a better understanding of things and people we don’t know, there is less opportunity to misjudge or criticize.”

Julia agreed, seeing literacy as fostering empathy since “children need to read books by and about people that are not like themselves to gain other perspectives.” Peter also addressed the fact that some individuals challenge books from fear, ignorance, and lack of empathy.

When commenting about the Right to Read, Avery and Becca also used the word “empathy” in their responses. Specifically, Avery stated that it is “crucial for everyone but is particularly important for young readers as they start to form their own view of the world,” and that “being able to read about someone’s experience allows a reader to develop a sense of empathy for that character, and eventually transfer that empathy to the real world.” Reading provides a safe space in which to experience conflict and hardship, allowing readers to be better informed citizens, she said.

Becca was of the opinion that “reading makes you smarter.” She suggested that some of the parents or organized parent groups who are so vocal against certain books “are suffering from tunnel vision and a lack of empathy.” But, critical thinking and empathy are nurtured through literature. Since much of popular culture mirrors their own life experiences, it’s difficult for them to acknowledge them. Many see books with LGBTQIA+ characters as a threat to their way of life, she said, “as though if their kids read about

these things, they’ll somehow influence them to not believe in the things they’re trying to instill as parents.” Becca went on to say that “to be honest, they’re not totally wrong there, because reading grows empathy and broadens your worldview. Essential for a functioning democracy, both are best instilled in the young.”

Karen also explained that reading is one way for students to learn the latest information and enrich their lives. For her, the Right to Read results in a successful and productive society. “If someone does not like the content of a book, they don’t have to read it,” she said, because reading is a choice. Based on her experience as a high school librarian, she perceived that younger generations are likely to embrace more liberal thoughts and accept diverse or varying points of view from others than older people. When she encounters negative reactions from others, Karen considers that they are rather hesitant to accept different views because they are unaware of differing thoughts, experiences, and way of thinking.

Different Attitudes About Challenged Books

While public and school librarians may find themselves balancing academic freedom and trying to skirt controversy, the academic librarians said they specifically purchased and defended books that have been challenged or banned. In fact, Julia said that her library tends to purchase books on the challenged and banned lists since they should be able to include various cultures in their materials.

Lindsay embraced the idea of including a book deemed controversial, stating that “If I hear about controversy surrounding a book I’m not familiar with, I’d become very interested in it! I’ve always found this to be a rather humorous paradox, that challenging or banning a book often tends to draw more attention to it.”

The public librarians were quite emotional about challenged books. For instance, Penny stated that she experiences a “host of emotions” when a book is challenged, ranging from disappointment to anger to disbelief. It can be hard to address someone who misinterprets a book that discusses racism or gender identity.

Public librarian Sydney wasn’t as bothered by book challenges as some of the others, seeing it as “a right of the people to question materials and go through the process if they feel strongly about it.” This experience may create an opportunity for everyone to explore why a particular book may be important and useful.

All three public librarians have positions of responsibility in book selection at their libraries. For instance, Penny is a director, Sydney a head of the youth services department, and Theresa a youth services librarian. If someone challenges



a children's book, they are the first points of contact in the formal complaint process.

Penny explained, "I'm the first line and the last line. As (the) director, people bring their complaints to me, or sometimes to me via a staff member. I've never had it go further than that." As the local library director, she is the person who handles any types of complaints filed to that library. Penny said she typically explains that the "library serves everyone, and we feel there should be books here for everyone."

As the head of the youth services department, Sydney said she is "often at the desk and receives the initial complaint." She further noted, "It may be surprising to know, many times they haven't even read the challenge[d] books completely." Although Sydney did not mention any influence from politics in her responses, she echoed possible reasons for book challenges described by the other respondents.

Of course, all libraries, whether they are public, academic, or K-12, should provide an avenue for formal complaints from their library patrons. For instance, Karen does not directly handle book challenges. However, as her school district explicitly publicizes informal and formal guidelines for book challenges, she feels more prepared and confident whenever the incident occurs.

Usually, the initial concern about a book doesn't go further than a conversation since, according to Theresa, "Often, they just want to be heard and acknowledged."

Sydney expressed a similar awareness of what library visitors want: "Patrons just want their opinions to be heard by staff and then do not pursue it further." All three public librarians shared similar points of view and tactics when a library patron challenges children's books.

On the other hand, as is typical for librarians in higher-education settings, Lindsay has yet to deal with any book challenges. Accordingly, she acknowledged the likelihood that her job placement is probably the reason why. "In higher education, it's understood that we might carry controversial materials as part of the overall learning process."

Peter, another academic librarian, also appreciated this relative freedom since academic librarians rarely have book challenges or are involved in any book censorship process. "Thankfully, working in academic libraries, we much more rarely encounter book challenges," he said. In fact, he has never had to be involved in the challenge/censorship process in his five+ years in academic libraries. "One of the reasons is that in higher educational settings, students are adults. This fact differentiates academic librarians for their stance and responsibilities regarding a book challenge."

That said, Julia and Peter were not certain what the process for handling formal complaints was. Peter admitted that he has never encountered a complaint, and he further

claimed, "I believe it is the leadership of the library who should defend and respond to a book challenge."

However, Lindsay articulated a different perspective from the other two academic librarians by saying, "If a challenge did come up, I feel that I would still be well prepared to handle it. We're trained and equipped to deal with book challenges, too, and know of resources to turn to." She also provided an example of her way of handling challenges by turning to professional organizations. "The American Library Association has material to help deal with censorship issues, so I would ultimately turn to that resource for formal procedural guidance."

When explaining how they feel when a book is challenged, the K-12 school librarians used emotional words such as angry, fear, and uneasy. Avery shared that "my initial reaction is often anger when a book is challenged, followed by a short period of fear. I tend to imagine the worst-case scenario, that the challenger is ultimately looking to have someone fired when they are challenging a book."

Becca predicted that "we're heading for some dark days ahead. The conditions that made World War II possible didn't happen overnight—it took 10 or 15 years of worsening conditions to make that possible." Given the recent surge in book challenges, she describes herself as feeling "uneasy and a little hopeless."

What Makes a Book Controversial?

While the controversial nature of a book is determined by its readers or the community in which those readers reside, all the librarians agreed that being able to predict what may prompt a book challenge can be difficult. For instance, Penny asserted that a book's controversiality is determined by its readers, often resulting from a reaction to anything that challenges the reader's world view. "None of us want to be uncomfortable. None of us want to be challenged to let go of long-held beliefs," she said. "None of us want to have to be exposed to our own privilege and to have our eyes opened to a world beyond our safe neighborhoods. Books that force us to think and see are always controversial." Still, she admits to struggling with some books. That said, do I want *Mein Kampf* on my shelves—probably not."

Theresa's comments on controversial books were similar, stating that "depending on the viewpoint of the person, anything can make a book controversial." She pointed out that the typical reasons books have been challenged were because the material was considered to be "sexually explicit," contained "offensive language," or was considered "unsuited to any age group."

Sydney echoed these two responses, asserting that "any book, in theory, could be controversial. Oftentimes, patrons



find a book controversial because they don't feel like it's age-appropriate or the book's premise is in conflict with their values or beliefs." And it isn't just conservative-minded individuals who might be troubled by books. She pointed out that there are religious challenges as well as challenges as to how certain communities are represented. "For example," she said, "I once had a patron challenge a book (although not formally) because the book displayed LGBTQIA+ characters as promiscuous and not because it included that community."

Peter's comments went to the heart of the matter while providing a slightly different slant on controversial books. "What truly makes a book controversial is when its information is not well-founded or factually backed up. Some of the titles I have seen which I find controversial (yet do not believe should be censored) are self-published and tout disinformation or misleading information," he said. "I still believe in them being available for patrons to encounter and decide for themselves."

Julia concurred with her fellow librarians, saying that "Many different aspects make a book controversial, but mostly it seems that when people think their lifestyle or opinion is the only 'right' way to live, they are offended and deem something controversial. Controversy generally involves politics, religion, sex, gender, etc."

According to Lindsay, the very idea of something being "controversial" is "a very subjective concept: a topic that is controversial to one person may be perfectly acceptable to someone else. It frequently depends on the individual's perspective. Much of the banning/challenging controversy arises from parents attempting to shield their kids against topics which they deem inappropriate for various reasons."

Books that have been considered "controversial" in the past, she said, are books that contain descriptions of sex, violence, drug use, profanity, obviously not age appropriate for a very young child. Still, it's an individual parent's responsibility to "discern when a child is able to handle mature content, not to pull it off the shelves completely for everyone else!" She compared this to the use of film ratings. Most likely parents wouldn't want to ban a movie from theaters just because it was rated R for sex and swearing. Instead, she said they would use that information to determine whether it's appropriate for their own child.

As of 2020, similar to Penny, she pointed out, the top three reasons books were challenged as reported to the OIF were because the material was considered "sexually explicit," contained "offensive language," and were described as being "unsuited to any age group."

Theresa considered the wide array of opinions held by parents and citizens in this country and saw that as

responsible for possible book challenges, noting that challenges are usually motivated by the desire to protect children from "inappropriate" sexual content or offensive language.

Lindsay concurred, stating that the very term "controversial" can be polarizing. What is controversial is often "a very subjective concept: a topic that is controversial to one person may be perfectly acceptable to someone else. It frequently depends on the individual's perspective. Controversy often arises from parents attempting to shield their kids against topics which they deem inappropriate for various reasons."

It's worth acknowledging, according to Lindsay, that additional books that come under fire might be "socially controversial, dealing with topics such as race, politics, sexual identity, religion, etc. All challenges are disappointing, but restricting books by these social topics strikes me as especially damaging, since it gives a message that certain themes are somehow "wrong." For instance, many books are challenged "because" they include witchcraft or gay and lesbian relationships or they take a strong political stance and so on."

From Lindsay's perspective, "Books can also be socially controversial if they depict certain terrible but authentic situations: for instance, it's common for books to be challenged because they use racist language or show violent forms of racism." Often, these depictions are taken out of context. "A racist situation might appear in a book as a way to provoke the reader and raise their awareness. Or it might be an older book containing stereotypes from the time period, in which case it's still important to examine that historical perspective, not to deny that it ever happened." At times the controversial book highlights "something painful about society, something that is difficult but necessary to confront," she said.

Sydney was in complete agreement with Lindsay, even stressing that any book "in theory, could be controversial. Patrons find a book controversial because they feel it's not age-appropriate or the book's premise is in conflict with their values or beliefs. "Books can be controversial to both conservative leaning people as well as liberal leaning people."

The K-12 school librarians repeated many comments already stated by the other librarians when explaining what makes a book controversial. They all shared that controversy stems from being shocked and confused by hearing about books that do not fit what they feel are traditional American values. Becca in particular expressed that "it's very naive to think this isn't a one-sided issue. The recent challenges are coming from a certain group of extreme thinkers on one side of the political aisle."

Current Trends in Book Challenges

Noting the presence of only one LGBTQIA+ book and primarily race-related books on the 2021 Frequently Challenged



List, the librarians had mixed reactions as to whether that might be a new trend or an anomaly. Lindsay admitted to finding that unexpected. “That’s surprising! It’s hard to predict how that might change next year, but it does seem to be moving in a good direction,” she said, considering that perhaps society is becoming more accepting of LGBTQIA+ individuals. “Compared to even just a couple of decades ago, we’ve come a long way. These days, an adolescent exploring their gender identity would be able to easily see that they’re not alone. It makes sense that this increased acceptance and visibility extends to books, film, shows, and other media, too.”

Lindsay wondered about the impact of current events on books being challenged. “In looking at the top 10 list,” she said, “I see a few books are challenged for racial reasons, and three for ‘anti-police’ views (wow!). It could also be that given many current events, the race topic in particular is stirring up the most controversy, so the focus is landing more heavily on these themes.” Still, she remained hopeful, saying that “overall, though, with so many more LGBTQIA+ books being published these days, it’s encouraging to see that they’re not all suddenly being challenged! I definitely remember *And Tango Makes Three* making quite a stir and being frequently reported on when it was published, solely because it featured a gay theme. I can’t recall any LGBTQIA+ books in recent years causing the same level of widespread controversy.”

Peter also expressed hope that this demonstrates a shift away from targeting LGBTQIA+ as the primary target for challenges. But he also said he was dismayed to see many challenges for so-called “anti-police” rhetoric. He followed up by stating, “If they read the books they will see a call for reform, change, and accountability for police actions.” Finally, “As for the many bans for sexually-explicit material, I would harken back to religion being the impetus in the challenge which I deny as a legitimate reasoning. I believe parents have the right to deem what is appropriate for their child, and in many societies around the world sex is not seen through such a rigid mindset.”

Theresa pointed out that Caldwell-Stone’s article in *School Library Journal* stressed that there has been a shift on the list to books “that discuss racism and America’s history with racism.” She continued,

It isn’t exactly that LGBTQIA+ books are not being challenged, it is just that the conversations and increasing awareness of racial injustice and its history are in the forefront in people’s minds at this time. More books about race, racial equity and racism are being challenged. However, Alex Gino’s *George*, cited for its LGBTQIA+ content, still tops the most challenged book on ALA’s Top 10 Most Challenged

books’ for the third year. ALA also states that ‘its latest list only represents a fraction of the books challenged over the last year as about 82 to 97 percent of challenges remain unreported.

Julia found the recent list disturbing since as more anti-racism books are being published, more books by POC are being challenged for “trivial reasons—such as profanity.” There is almost a systematic challenge to specific POC books or authors. It seems clear that certain groups such as Moms for Liberty are leading the charge in this respect. She noted that academic librarians have different roles than public or school librarians, perhaps making book challenges far less likely.

Peter acknowledged that this is typical. “We are privileged to work with a variety of patrons from different cultures and backgrounds,” he said. According to Peter, he continued,

When selecting materials for purchase, display, etc. the idea of offending is less in mind than the quality and truthfulness of the book. In our purchasing and displays we make a conscious effort to include POC voices, LGBTQ+ representation, and Own Voices, and generally do not worry if they will offend our population. Inclusion is SO important, and if someone is offended by inclusivity, it seems that they are the one with the problem.

While Sydney found some positives in the lack of LGBTQIA+ books on the list, Penny was unable to do so. Sydney acknowledged that “It’s a bit difficult to say, because I live in the ‘bubble’ of academia, but I do believe these books are becoming more accepted.” She explained that even a decade ago, it was difficult to find quality LGBTQIA+ titles, “whereas now there are many wonderful titles of all kinds and for all ages.” She also conjectured that it might be possible that “public libraries in communities where these books would be more controversial to the community are not buying these titles and therefore, they are not able to be challenged.” But she said she hopes this is rarely the case.

Penny didn’t feel encouraged by this possible trend in LGBTQIA+ books being more widely accepted. She said,

Honestly, I’m a pessimist and so I’m not sure that LGBTQIA+ materials are becoming more widely accepted. I feel more like the Black Lives movement and the #MeToo movement are causing a backlash among white supremacists and misogynists, and so we are seeing anti-racist literature and feminist literature and books about sexual abuse being more challenged. And although the reasons challengers give



are often divisiveness and “inappropriate content,” the reality is that books that challenge white and male privilege, or point it out, are just currently making people uncomfortable and therefore are being challenged.

Effects of Book Challenges

There tends to be a chilling effect when a book has been attacked or challenged, possibly prompting librarians and others to second guess what books to include in the library collection. But Peter, for one, has not felt the pressure to do so. As he explained, “I have the privilege in my area of librarianship that I do not have to often question my collection development decisions.” He said his library administration has taken extra steps to make their collection “represent diverse political beliefs, even in a time when I may personally believe spreading some ideals causes harm in our society.” Perhaps academic librarians are the last bastion of freedom of selection and the Right to Read as some state legislatures continue to work to limit the types of books that would be available to patrons.

Moving Along the Conversation

It was abundantly clear from the passion and depth with which our respondents answered our questions that they care deeply about the Right to Read and intellectual freedom. Not only were they willing to share their thoughts on censorship and book challenges, but they were eager to respond. All of them are fully aware of the perils of censorship and make sure they are informed as to current trends regarding book challenges. But it is also clear that many of them exist in ivory towers of sorts, protected, at least for now, by their job assignments from dealing with the general public. But as book challenges across the nation continue to grow, the so-called culture wars play out, and the nation becomes even more polarized and divided, not only are those challenges likely to increase in public libraries, but they may also intrude into college and university libraries. After all, there are movements afoot among some state legislature that question what is taught in university classrooms or the contents of Advanced Placement courses, classes for which high school students can receive college credit.

It is also possible that some librarians and library administrators will simply remove material that might be objectionable before a patron raises an objection, thus avoiding controversy but also limiting access and the free exchange of ideas. It’s impossible to know how frequently this type of censorship occurs. As the number of book challenges rise, it would not be surprising to find librarians and educators leaving their jobs out of fear of retaliation or to protect their own mental health and well-being. This trend could also

spill over to college students considering librarianship as a career. What once might have been considered a domain of academic freedom—the university library and college classrooms—may also come under fire from those who insist that shielding students, even adult learners, from the truth is more important than teaching the truth about our nation’s history or acknowledging gender identity and sexuality.

It seems essential that all citizens of this nation be informed about what democracy entails and the importance of the free exchange of ideas. Perhaps all schools need to examine their curriculum to determine how much, if any, focus is placed on intellectual freedom and its importance. This speaks to the current debate about the purpose of education. For some individuals, it means telling only the favorable parts of our nation’s history and avoiding any controversy, while for others, its purpose is to admit the whole truth of our history, even though some of it is unpleasant, and encourage students to ask questions, think critically, and perhaps work for change, acknowledging that mistakes have been made and that our nation and we as individuals can do better.

There’s a deep divide rippling across the nation’s landscape as debates swirl around who decides what books can be read, taught, and discussed and what topics are deemed appropriate reading material and discussion fodder. It isn’t all that far-fetched to see these trends seeping into academic libraries as well. In fact, most of the respondents stated that it’s difficult to tell when a book might be challenged, so the door is open for patrons to challenge reading material for any reason. Much like what the interviewees stated, future challenges will come from both sides of the political aisle.

Even though the responses of these librarians left us feeling cautiously hopeful and encouraged, we must acknowledge that the results would have been quite different, more hesitant, and even perhaps more fearful and world-weary if we had included more school and public librarians. Many schools no longer fund librarian positions, so those who take care of the library may not have library certification or understand the Right to Read or aren’t willing to risk their livelihood in defense of a book. Whose fight is this anyway? The authors, the book publishers, bookstores, teachers, librarians, students? It is noteworthy that, in his book, *You Can’t Say That! Writers for Young People Talk about Censorship, Free Expression, and the Stories They Have to Tell*, Leonard Marcus (2021) shares interviews with authors whose books have faced challenges in the past, and the authors’ responses to those challenges vary widely. Including school and public librarians who have faced recent book challenges would have undoubtedly resulted in a more pessimistic accounting of the current state of affairs.



As we considered our findings, we asked ourselves additional questions:

- How frequently do librarians think twice before ordering or placing on library shelves books on certain topics that they anticipate might stir up a complaint?
- Once someone has had a book challenged, how carefully do they consider the next book that might be deemed controversial or cause problems?
- How frequently do libraries have a policy for how to handle complaints from parents, and how often do they adhere to that policy?
- What outside pressures do library boards experience when dealing with complaints about books covering certain topics?
- How often do they bend to those pressures and why?
- When will this trend to challenge or question such large numbers of books abate?
- How closely related is it to various political movements or the difference in “red” and “blue” states and political parties or campaigns for elected office?
- What do these trends mean for the Right to Read and for the future of our democracy?

Conclusion

Censorship challenges continue with several states, including Idaho, Indiana, Iowa, and Missouri having bills in consideration that allow librarians to be sued if they make “age-inappropriate material” available to children, while *The Atlantic* (Sarappo 2022) lists books facing challenges and encourages subscribers to read the books and decide for themselves. In a recent *Education Week* article, Montgomery (2022) noted that some librarians and anti-censorship groups are fighting back. Four librarians from Texas have started social media pages such as #FReadom tweets as well as the website (<https://www.freadom.us/>) which displays various ways to support the Right to Read. Other supportive actions include letters to editors, Freedom Fridays, and contacting local school board members. The *Salt Lake City Tribune* (2022) reported that local groups, Utah Citizens for Positive Change, Murray Equity Alliance, and Utah Project, among others joined forces and sent Valentine’s Day messages in support “of our professional and stalwart librarians.” In addition, PEN America, a diverse group of poets, essayists, and novelists in seven regions across the US, has also answered the call to fight censorship by establishing a \$500,000 defense fund in support against the “politically motivated efforts to censor bookshelves” (Trimel 2022). Although there are many groups who want to control what

others read, many Americans are feeling the urge to assist and support librarians in being the gatekeepers of public information.

Book challenges seem to be trending in 2022 as First Amendment rights are under attack, a trend that is likely to continue as the nation remains divided politically or until more schools teach about what this right entails. With fewer schools focusing on social studies and history classes, favoring narrowed curriculum and high-stakes testing preparation, many students graduate from high school without understanding these fundamental rights and the dangers to democracy when only one point of view is allowed, whether that be a liberal, conservative or perspective somewhere along the continuum. Thus, the next generation is likely to be the victims of this ignorance and nearsightedness. It is likely that educators and librarians will increasingly face threats to academic freedom and their jobs as more politicians get involved. One state actually considered a bill to criminalize librarians, according to an article by Bryan Clark in Yahoo! News (2022). The legislation would incarcerate librarians for up to one year or impose a \$1,000 fine if they distribute any minor literary materials judged and evaluated to be obscene. Not only would bills such as this silence certain voices, but as Sydney, one of the public librarians, previously addressed, in truth, many of the challenges are based on hearsay since many of those who would remove material from library shelves haven’t even read the books they are so riled up about.

Although the librarians we interviewed supported the Right to Read and their responsibility to protect readers’ rights to choose, and, for the most part, say they know how to handle book challenges, all libraries need to have and follow guidelines for responding to book challenges. The OIF also suggests that all libraries develop specific material selection policies based on the ALA’s Library Bill of Rights (Scales 2021).

Clearly, danger lurks in hiding the truth about history and disseminating misinformation. Moreover, obfuscating or misinterpreting the true purpose of CRT only confuses the general public and endangers vulnerable populations. “Education as the practice of freedom—as opposed to education as the practice of domination—denies that man is abstract, isolated, independent and unattached to the world; it also denies that the world exists as a reality apart from people” (Freire 1970, 62). We must speak with more robust voices to advocate for children that omission and censorship have no place in a democracy and are intellectually damaging since they will never produce a positive outcome in encouraging future generations to think for themselves.



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Patron Privacy Protections in Public Libraries

IT Professionals' Points of View

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Public libraries serve as crucial resources for the public to access information, with the safeguarding of patrons' privacy being a longstanding and essential mission. This study builds on a previous survey that delved into the perspectives of public librarians and administrators on patron privacy protection. Our specific goal in this study was to identify the practices employed by Information Technology (IT) professionals and the challenges they face in safeguarding patrons' privacy within public libraries. Conducting a comprehensive focus group study involving 33 IT professionals across 10 sessions, we sought to gain insights into their experiences and perspectives on protecting patrons' privacy. Our findings reveal that IT professionals express concerns about patrons' lack of awareness regarding the significance of privacy protection, placing staff in the challenging position of balancing convenient customer service with the imperative to protect patron privacy. Moreover, a notable challenge faced by IT professionals in libraries is the lack of training and technical knowledge among library staff to optimize technologies for ensuring patrons' privacy. The study also highlights IT professionals' reservations about the collection of patrons' data by libraries or vendors, prompting a desire for a deeper understanding of both technical and nontechnical measures to enhance privacy protection. While our research sheds light on the concerns and practices of library IT professionals, we believe the insights gained can provide library administrators and policymakers to gauge the critical role of technology in privacy protection. By understanding these challenges, policymakers can modify and implement policies and practices to effectively enhance the protection of patrons' privacy in public libraries.

Public libraries are one of the main readily available and affordable resources for people to access information (Real 2017). According to the data collected from more than 9,000 public library systems comprised of approximately 17,000 individual main libraries in the US, Americans made 1.2 billion in-person visits to the public libraries in 2019 (Pelczar et al. 2021) and visited libraries' websites more than 1.1 billion times in 2021 (Pelczar et al. 2023).



Public libraries play a critical role in providing free public internet access (Jaeger and Fleischmann, 2007), and according to the 2020 Public Library Technology Survey Summary Report, 98.4% of libraries continue to provide this service (2021). In addition, the primary technology services offered by public libraries include teaching basic computer skills (82.3% of libraries surveyed), providing access to online health (60.7%), online employment (63.5%), and online language learning resources (53.1%), as well as offering digital literacy trainings on general internet use (82.6%), online databases use (73.4%), and safe online practices (58.1%) (Public Library Association 2021). Specifically, the digital resources and infrastructures provided by the public libraries across the US were essential for many communities during the COVID-19 pandemic to stay connected (Bryne and Visser 2022). While library buildings were closed to the public during the pandemic, more than 60% of the public libraries offered Wi-Fi internet access for people outside of the buildings. In addition, usage of electronic materials and online services had significantly increased from FY2019 to FY2020 given the stay at home or place of residence requirements during COVID-19 (Institute of Museum and Library Services 2023).

Furthermore, the digital services provided by the public libraries have been particularly valuable to and utilized by vulnerable groups such as low-income households, individuals with few computer skills, and those of low socioeconomic status, since they rarely have other options for access to computers and internet services (Vitak et al. 2018). Marginalized groups such as youth, women, and low-income families particularly benefit from public computers, internet, or Wi-Fi connection provided at libraries to seek health information, learn new technologies, discover community resources, find jobs, and gain workforce skills (McCarthy 2020; Horrigan 2015). Nevertheless, vulnerable groups are often at a higher risk of being targeted by increased surveillance or becoming victims of data leakage given their lower digital literacy to protect their private information (Pacific Library Partnership and LDH Consulting Services 2020).

Protection of patrons' privacy has long been a critical mission of public libraries. As stated in the American Library Association's Library Bill of Rights (American Library Association 2019), "All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use. Libraries should advocate for, educate about, and protect people's privacy, safeguarding all library use data, including personally identifiable information." Thus, libraries are responsible for providing a trustworthy environment for patrons spanning from the

most privileged to the most vulnerable to access information safely (Pacific Library Partnership and LDH Consulting Services 2020). However, as indicated by a recent online survey study conducted during the pandemic (Wang et al. 2023), notable disparities exist in the practices and challenges related to patron privacy protections in public libraries. According to this recent study, approximately a quarter of the survey respondents reported that their libraries do not have a dedicated policy in place to address patron privacy. Moreover, more than one quarter of the survey respondents highlighted a lack of staff training in patron privacy protection, and more than two-thirds of the libraries do not provide educational materials for patrons on privacy protection.

While the Wang et al. study offered valuable insights from more than 700 librarians, library staff, and library administrators, it lacked adequate participation from information technology (IT) professionals affiliated with public libraries compared to other key stakeholders working in public libraries. We believe IT professionals in public libraries play a critical role in managing software and hardware operations, efficiently storing data, supporting staff and patrons in various media and technologies, as well as serving as key consultants in technology expansion. Therefore, their professional perspectives from an operational standpoint prove useful and necessary when studying privacy practices within these spaces. To fill this gap, this study is focused on how IT professionals perceive patrons' privacy protections in public libraries. To gain this perspective, we conducted an online focus group study that investigated IT professionals' practices and challenges as it applies to their day-to-day work to protect patrons' privacy in public libraries. To the best of our knowledge, this is the first study that focuses on IT professionals' views when it comes to patron privacy. Motivated by the results obtained in a prior study that investigated practices and challenges concerning patrons' privacy from the viewpoints of librarians and library administrators (Wang et al. 2023), our research is guided by the following four primary research questions to explore IT professionals' perspectives:

- RQ 1: What do IT professionals perceive as the most pressing concern or challenge related to patron privacy protection in public libraries?
- RQ 2: What technologies or practices do their libraries use to protect patron privacy?
- RQ 3: Of the technologies and services libraries use, what do IT professionals believe poses the most serious challenge to patron privacy?



- RQ 4: From IT professionals' perspectives, what kind of technological changes, if any, should public libraries in general make to better protect patron privacy?

Related Literature

As stated earlier, since this is the first study of its kind, the literature reviewed in this section is relevant to our study while it is not directly comparable. Therefore, the literature reviewed below is focused on the dynamic landscape of privacy challenges caused by technologies and the diverse practices proposed to tackle them, such as 1) the privacy risks caused by technologies in public libraries, and 2) the prior approaches offered to address privacy concerns related to these technologies.

Privacy Risks Precipitated by Technologies

According to ALA's Interpretation of the Library Bill of Rights, "The right to privacy includes the right to open inquiry without having the subject of one's interest examined or scrutinized by others, in person or online" (American Library Association 2006). Recent scholarly publications have highlighted the increased privacy risk associated with the exposure of patrons' personally identifiable information and library-use data. These risks are particularly relevant to the use of technologies in libraries. Noh (2017) conducted a survey reviewing literature on patron privacy focusing on libraries in the United States and South Korea over the past few decades. She found the main themes that had been discussed in the literature were concept of personal information and privacy, libraries and intellectual freedom, policies, guidelines, and laws related to library privacy. In particular, Noh specifically identified that there had been increasing risks of damage to patron privacy caused by the greater use of information technologies in libraries.

Moreover, scholars have called attention to the risks of privacy exposure caused by new technologies. These risks extend beyond the applications patrons utilize on their personal devices, as demonstrated by Sweeney and Davis (2021) in their examination of privacy concerns associated with voice assistants. In addition, the adoption of third-party software within public libraries, such as Axis 360, Hoopla, OneClick-Digital, OverDrive, and Zinio (Lambert, Parker, and Bashir 2016), making library patrons' data no longer solely protected in the hands of the librarians and the patrons. Likewise, the advanced smart and digital technologies that library staff and patrons access in the public libraries (Adetayo et al. 2021) can inadvertently compromise the privacy of individuals. It becomes increasingly critical for libraries to navigate these potential privacy concerns which emerge with the advent of the new technologies.

Furthermore, library practices that intended to improve patrons' convenience could also bring threat to patrons' privacy. For example, in order to offer the best services to patrons, libraries have increasingly relied on cloud-based services and big data analysis to properly allocate libraries' funding and resources in the Library 2.0 era (Kritikos and Zimmer 2017; Tella 2019). Particularly, given the restrictions on in-person services during the COVID-19 pandemic, the needs for libraries to provide virtual services also grew. Some libraries chose to accept free content from vendors given their lack of funding; however, this poses privacy risks for patrons and libraries given that this content was not licensed or governed by privacy agreements (White 2021). Utilizing data and technologies to enhance customer experience while protecting patrons' privacy has therefore become challenging for librarians (Asher 2017, Corrado 2007; Harper and Shannon 2017, Pekala 2017).

Prior Studies Related to Privacy Concerns and Technologies

Researchers have proposed various approaches to address privacy concerns created by technologies from differing perspectives. A few scholars conducted real-world case studies for creating policies or best practices on protecting privacy. Marden (2017) shared experience in creating a new privacy policy at the New York Public Library that follows the "Standard Privacy Principles" outlined in the ALA's Intellectual Freedom Committee's guidelines. Yoose (2017) and Loter (2016) examined the practices in the Seattle Public Library that obscured identifiable data of individual patrons. This approach not only protects patrons' privacy but also fulfills the library's information needs of knowing how patrons use the library.

Other literature examined specific new technologies that could better protect patrons' privacy, such as VPNs (McAndrew 2020), HTTPS (Thomchick and San Nicolas-Rocca 2018), and Tor (Lund and Beckstrom 2021). There have also been literature aiming to advance library employees' knowledge of and skills on advanced technologies; for example, Fortier and Burkell (2015) taught librarians the mechanisms as well as benefits and risks of online behavioral tracking technology, further instructing librarians how to evaluate behavior tracking practices and provide patrons digital literacy education to protect their privacy. Henning (2018) wrote a quick guide on voice computing programs for librarians to learn what these computing programs are, how they can be applied to libraries and specific privacy concerns with these technologies. Researchers have similarly introduced frameworks for ethical data practices that apply to future data technologies (Lund 2022). The American Library



Association and scholars also studied libraries' relationship with vendors to advise libraries on how to assess cyber security issues and review license agreements with vendors periodically to secure libraries' data and protect patrons' privacy (American Library Association 2015; Ayre 2017; Caro 2016, Corrado 2020).

Despite the numerous technological and educational approaches that have been proposed to address the privacy concerns related to technologies in public libraries, there are still gaps between the real-world practices and the recommended best approaches. For example, Breeding's survey (2016) on how current library systems address the privacy and security issues related to patrons found only 13% of the large academic libraries and 8% of the large public libraries considered in the survey presented their website using HTTPS. Furthermore, a content and cluster analysis on public libraries' data privacy policies revealed less than 50% of the public libraries sampled had a data privacy policy available online (Lund 2021). A review on libraries' social media policies also indicated the lack of consensus on privacy protection best practices among libraries using social media platforms (Cotter 2016). Prior studies have demonstrated library staff do not have adequate knowledge to operate the privacy-protecting technologies used in the libraries (Maceli 2019) or guard patrons' privacy in their daily practices that could involve in working with patrons' private information (Morehouse et al. 2020). A recent survey indicated library employees consider employee trainings regarding patron privacy protections and resources to help employees gain knowledge about privacy-enhancing technologies as the most-needed solutions for patron privacy protections (Wang et al. 2023). There are undetected or unaddressed barriers preventing libraries from adopting appropriate technologies, recommended policies, and best practices to protect patrons' privacy. Hence, our study aimed to work with the IT professionals that interact with library staff, patrons, and technologies daily in public libraries to identify their practices and challenges in protecting patrons' privacy. To the best of our knowledge, this study is the first that focused on IT professionals in public libraries to explore their concerns, learn practicable solutions, and propose achievable guidelines for the library community.

Methods

This study utilized focus groups to gain insight into patron privacy protection, as perceived by the IT professionals working with public libraries. The focus group discussions were conducted online via video conferencing due to pandemic-related travel and in-person meeting restrictions. This

format also allowed us to engage with IT professionals from diverse geographic locations across the United States. We hosted 10 sessions of online focus group discussions using Zoom in the Summer of 2021, and each of the sessions had 2 to 5 participants. The participants were assigned to focus groups randomly based on their availability.

The primary goal of the focus group study is to identify the technological tools and practices employed by public libraries to ensure patrons' privacy protection and understand the challenges IT professionals experience in protecting patrons' privacy. To construct the focus group questions, our research team comprised library privacy experts and Library and Information Science graduate students with prior work experience in libraries. More specifically, the research team collaborated with an advisory board of subject matter experts with diverse backgrounds related to library privacy, including directors of urban and small libraries, independent consultants on library privacy and library technology, administrators from national library associations, the director of the Library Freedom Project, and researchers in the library privacy field. The advisory board reviewed the proposed questions and provided feedback based on their experience working with various sizes, areas, and types of public libraries. Drawing upon a foundation of existing research on library privacy and the latest American Library Association Library Privacy Guidelines, we formulated a series of questions and follow-up inquiries. Following the prior survey that addressed practices and challenges regarding patrons' privacy protections from librarians' and library administration's perspectives (Wang et al. 2023), these questions were designed to answer our research questions from the following aspects: (1) exploring the most pressing concern or challenge related to patron privacy the IT professionals have faced; (2) recognizing the technologies or practices used in public libraries to protect patron privacy; (3) identifying the technologies and services the IT professionals think would pose the most serious challenge to patron privacy; and (4) assessing the potential technological changes the public libraries could make to better protect patron privacy. The focus group study questions and research protocol have been reviewed and approved by the Institutional Review Board of the research team's University.

Data Collection

We focused the recruitment activities on electronic methods given the limitations surrounding the COVID-19 pandemic. A mailing list was compiled to reach out to over 12,500 individuals worked in state public libraries in addition to library association working groups such as IT professionals associated with the Public Library Association

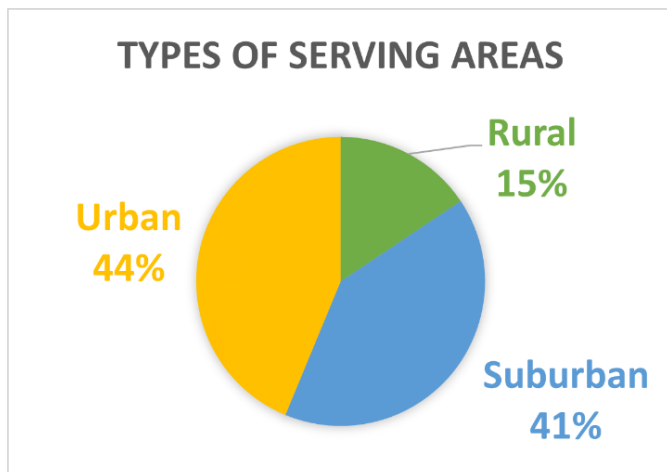


Figure 1. Types of Areas Serving by Focus Group Participants' Libraries

or the American Library Association. We also contacted library associations representing under-represented minorities (e.g., The National Association to Promote Library and Information Services to Latinos and the Spanish-Speaking (REFORMA), the Black Caucus of the American Library Association (BCALA), the American Indian Library Association, (AILA), the Asian/Pacific American Librarians Association (APALA), and the Chinese American Librarians Association (CALA)). The email contained a link for participants to sign up for the online focus group discussion. In the sign-up form, participants were asked to certify that they work on information technologies and are affiliated with public libraries in the US. They were asked to provide their name, library affiliations, email addresses, and availabilities for researchers to follow up and schedule the online focus group discussion session that best suited each participant's availability. In addition, the participants were asked to specify whether their libraries are associated with library associations representing ethnically under-represented minorities or serving underserved communities. Before joining their online focus group discussion, participants received a consent form that clearly described the goal, format, and logistics of the focus group discussion. Participants were asked to read and submit consent to the consent form prior to the online focus group discussion beginning. During the online focus group discussion, the sessions were recorded (using Zoom's function) and transcribed for the research team to do analysis. No identifiable information was revealed in the aggregated analysis results. Upon completion of the online focus group discussion, all participants were offered an e-gift card to compensate for their participation.

Table 1. Participants' Occupation

Types of Job Titles	Count
Directors or Heads of Information Technology	7
Managers for IT departments or IT services	11
IT coordinator	3
IT Technician or Specialist	3
Librarians	6
Non-IT Department Heads	3

Study Participants

We identified participants' titles and the types of community their libraries serve by gathering information from their self-introductions during the focus group sessions or through online searches of their names and affiliations. The participants in the focus group study were diverse in terms of the community types they serve and their roles in the public libraries. Among the 33 participants, 15% were working in libraries serving rural areas (n = 5), around 40% worked in suburban areas (n = 13), the remainder worked in urban areas (n = 14) or worked in a library consortium that serves multiple types of communities (see figure 1). Although none of the participants are working in libraries that are directly affiliated with library associations representing ethnically under-represented minorities, 36% of the participants (n = 12) reported their libraries are serving underserved communities.

The majority of these participants were at the administration level in charge of the information technology services in public libraries, including Directors or Heads of Information Technology (n = 7), or Managers for IT departments or IT services (n = 11) such as Integrated Library System Managers. Other participants worked at the front line to interact with information technologies in libraries, including IT coordinator (n=3) and IT Technician or Specialist (n = 3). There were 6 librarians joining the focus group study, 2 of them are technical librarians. Three of the participants were directors of non-IT departments but also needed to deal with information technologies in their day-to-day work (see table 1).

Content Analysis

To analyze the responses in the focus group discussions, we conducted a qualitative analysis to identify text-based evidence through a bottom-up approach (Bernard et al. 2016). For each of the research questions, three researchers were trained by a senior researcher with extensive experience in qualitative analysis to closely read a set of responses and identify the themes or topics described in the text in response to



each of the focus group questions. Based on the themes identified from the first round of annotations, the research team compiled a coding schema to categorize the themes for each of the research questions. The annotators then categorized each response into the corresponding theme. After each annotator coded the responses independently, the annotators convened to synthesize the annotation results and agreed on the category that best describes each response.

Results

RQ1: What do IT professionals perceive as the most pressing concern or challenge related to patron privacy in public libraries?

The most pressing concerns the IT professionals brought up during the focus group discussions were those related to **using software, applications, and systems**. For example, these library IT professionals worried about how the applications used in the library might track interactions patrons have on public machines. One of the respondents said:

It is unknown what apps on the computer are tracking which interactions patrons might have on the public machines.

Other participants reported that some library systems have not been updated for many years and do not have the option to encrypt data or send data over SSL ports. For example, one IT professional mentioned:

One thing that I've still not been able to resolve is we send SIP over unencrypted ports as well, every single check in and check out sent, I don't know who is really trolling that information, you know how big of a concern is it.

Another participant noted:

ISPs (internet service providers) may be tracking what websites you go to . . . seeing all those transactions . . . it's not encrypted, that's plain text transfer.

Participants also indicated library software that works well for large libraries does not meet the needs of small libraries. Library staff often needed assistance or authorization to configure software features related to patron privacy such as setting up firewall filters or removing facial recognition. A respondent indicated:

While we specifically avoided any facial recognition tech in the cameras, it's a hardware restriction, or, it may be a built in feature that we're trying to limit with software, we don't

really know if the software is properly limiting this or if it's just collecting this data on the back end and sending it out somewhere.

Furthermore, IT professionals working in public libraries were also concerned with their **libraries' practices in managing patrons' data**. They noticed their libraries collect more information than necessary for analysis or lose control of data shared with the vendors and consortium. They worried if data left on paper forms or files left in printing machines were not deleted in time.

Another main concern library IT professionals often shared is the challenge related to **balancing between providing customer service and protecting patron privacy**. They shared frustrations of not being able to help patrons with limited computer skills to enter the patrons' private data, given that this would violate their libraries' privacy policy. For instance, one IT professional said:

One of the challenges that we're fighting often is that our patrons don't take privacy as seriously as they should, and so oftentimes they're willing to take risks that we, as the library just can't do so. Balancing security with convenience is closely tied to that.

Similarly, another respondent also mentioned:

Many of the people who come to use our public computers are economically disadvantaged. They may not have the skills to understand cyber security, and I think all of us struggle with rights to privacy versus convenience.

Other concerns reported were responding to requests from **law enforcement**, and the **lack of training for staff and patrons**.

A follow-up question was asked to further explore the concerns these IT professionals have heard from their patrons or their non-IT-pro colleagues. The participating IT professionals were concerned their non-IT-pro **colleagues do not have adequate knowledge and skills in technologies and patron privacy protections**. This concern is related to inconsistent procedures and policies within organizations, or staff having a hard time understanding the culture of the libraries. As one of the IT professionals noted:

The challenge that I am really having with the staff is the inconsistency of trying to understand the seriousness of patron privacy . . . sometimes it's a workaround. We're having trouble with technology so then they'll just give out the reference desk email address to have somebody send a document.



But then they're not getting rid of that email that has personal information in it.

In addition, another pressing concern the participants expressed was **patrons lack of technical knowledge and failure to protect their privacy**. For example, patrons found the filter for internet access inconvenient, over-shared their information, or left paper forms with private information in public areas. On the other hand, some patrons were aware of the importance of privacy protections and thus cautious about **how their data was being accessed, used, or shared**. For example, patrons questioned whether their data was tracked on wireless services or public computers, worried that others would overhear their conversations with library staff, were reluctant to show their photo IDs or share their contacts with library staff, and suspected whether the government has been watching their data.

RQ 2: What technologies or practices do libraries use to protect patron privacy?

According to the study participants, libraries have often adopted software and hardware to protect patron privacy. For example, several libraries used Deep Freeze or other **session management tools** to wipe out browsing history and computer logs after machines reboot. Libraries have often implemented **VPN, data encryption, and firewall** to protect data transferred online. As mentioned by an IT professional working with library consortium:

We require every library to use very specific set of firewalls and we have VPN connections to every one of those libraries, that is connected to a staff network, so that ensures at least that level of access is encrypted and that they're talking to our iOS via encrypted method.

Some of the participants also stated that their libraries replaced traditional patron IDs with a **patron barcode system** to avoid accessing patrons' private identifiable information. Furthermore, some participants indicated that the public libraries they worked in have applied proper **data practices** and policies related to data collection, use, access, and deletion that protect patrons' privacy. For example, some methods noted were logging people out and purging records regularly after each session, cleaning printing jobs after each hour, encouraging strong passwords, using encrypted secure certifications, not mentioning patrons' personally identifiable information in emails, and deleting data that was no longer needed. As one of the respondents noted:

We were using deep freeze on our public computers, in addition to the browser is not storing data in the first place so they're not tracking any reading history . . . deep freeze wipes the hard drive functionally when the machines restarted.

Another IT professional mentioned:

[For] the Xerox copier we have kept the job encrypted, so it would be reprinted but it's dumped at the end of the night, so those are gone once that happens.

Our study participants also reported that some libraries have conducted **regular privacy audits** and have a locked data center to ensure privacy protection. One IT professional shared:

For the first time since I've been at my institution my consortium did a security audit, which was really eye opening. For us to see like where vulnerabilities are and it kind of gives you a chance to think about how that might affect folks interacting with us through some of our public channels. We're more aware than we used to be, which is always a good thing.

Some participants stated their libraries would provide staff documentation **and training on security and privacy** to help them gain knowledge on protecting patron privacy. For example, one IT director noted:

[We offer] continuous training and education for our staff on the importance of the privacy and data." The training could also come from peers, as another respondent mentioned, "I think one of the biggest things is our staff train our staff to be aware of different things, such as security awareness training on phishing attacks.

RQ 3: Of the technologies and services libraries use, what do IT professionals believe poses the most serious challenge to patron privacy?

The IT professionals in this study pointed out that sometimes software they are using in the libraries could pose serious challenges to patron privacy. For example, they mentioned that **data in patron databases might be breached**; data might **not be encrypted** properly; files transmitted over Wi-Fi service for **remote printing** could be seen by non-authorized people. The participants have also been worried about how commonly used **software or services**, such as OverDrive, Open Athens, AWS, Google, SIP2, would handle patrons' private data. How the data was collected, accessed, used, and deleted by library staff could also cause problems in terms of patron privacy protections. Some participating IT



professionals argued their library, or their vendors might **collect more data than they need**. Some libraries allowing multiple staff to use **shared logins** for library system was another concern. Besides data practices, participants also mentioned that their **policies are outdated**. Again, multiple library IT professionals restated that their most serious concern is patrons' lack of knowledge and awareness when they share their personal identifiable information with others or ignore privacy policy when using libraries' services.

RQ 4: From IT professionals' perspectives, what kind of technological changes, if any, should public libraries in general make to better protect patron privacy?

The changes IT professionals suggested included changes about enhancing **library employees' (both IT and non-IT pros') knowledge and skills** on using or configuring hardware and software, offering **patrons' education and training**, and advocating cultural change led by **library administration**. In terms of the changes related to the use or configuration of hardware and software, the IT professionals suggested that libraries should **enhance browser and firewall** to keep data anonymized. In addition, libraries should **enforce data encryption**, and **reduce the data tracked** by IT systems, especially wireless software managed by third-party vendors. For example, one respondent mentioned that:

I like the fact that in California, we have an opt out in terms of tracking . . . so if you go to a web page, you can opt out, they're not going to track you. But I don't think that's the case across the country. I wish that we could include something like that, with our vendors.

Another participant also emphasized:

If analytics are so critical to your business and being able to gather data and make data driven decisions and things like that. We just always need to be extremely careful to anonymize any data that we gather so that we're not tying it back to specific person.

Some respondents even suggested libraries should develop their own technologies and software to better protect patron privacy.

For patron education and training, the IT professionals indicated libraries should have a **patron disclosure statement** that helps **patrons be better informed** what information is being collected when using library services, for what purpose, and how the data would be used. They also suggested **both patrons and librarians should be better educated about privacy protections**. One IT professional said:

The only thing I would say, and this is a whole other subtopic is patron education. There's a lot of things like we can talk about what we can do to protect them as much as we can, but they make choices, so I think patron education as a library focus for privacy concerns is something that's we need to spend more time on.

Similarly, another IT professional also emphasized:

I think educating the public is an important thing for us to do to explain privacy and how what we do to protect them and why we do what we do.

Last but not least, the library ITs emphasized that besides technological changes, **changes led by library administration** is critical. One participant explained:

I would say is I don't think we need technological changes, other than the will to do them, but we need our concerted [efforts] by our library administrations to address to talk about and then remediate these issues. For me it's not technological changes, I think it is about cultural change and resources.

Other participants hoped the administrations of their libraries could offer more funding to replace old software that does not follow the best privacy protection practices. For instance, one IT professional strongly expressed that:

You might not have the money to keep everything up to date. . . . Maybe it doesn't have to be the latest greatest hardware, but I do need to make sure that it's as up to date with its virus protection as it can be. And then it's up to date with the latest version of windows on it until if that hardware can be updated . . . you have to make those decisions.

Participants also recognized the urgency of **ensuring privacy protection policies and practices being approved** by the Board of Trustees of libraries.

We did not observe significant differences in discourse between these focus groups given that the participants were randomly assigned based on their availability. Nevertheless, it is worth highlighting that individuals from smaller libraries expressed a keen interest in innovative solutions to enhance their access to shareable resources and expertise. For example, IT professionals working in smaller libraries proposed that library administration should collaborate with security experts to establish a shared clearinghouse on secure software or services. This collaboration would enable informed decision-making, particularly regarding patron



privacy protections, such as selecting appropriate vendors to work with.

Discussion

Drawing from the insights provided by IT professionals during the focus groups, which highlighted challenges, best practices, and potential improvements related to patron privacy protection, we have formulated a set of recommended strategies for public libraries. These strategies encompass three key aspects: providing adequate training and support to library staff, urging library administration to align privacy protection policies with current practices, and enhancing communications about privacy protections with patrons.

Providing Training and Support to Library Staff to Interact with Technologies

Based on the responses we received from the focus group study, we found many participants recognized the need to configure or update the software and hardware used in public libraries in order to better protect patrons' privacy. However, libraries sometimes lack control over the technologies, and need more training for their staff, both IT-pro and non-IT-pro, to implement these changes. As many small libraries rely on consortiums to provide unified tech supports not customized for their libraries, there is an urgent need for cost-effective and easy-to-use tools or resources that can help these small libraries to better manage their data and technologies for patrons' privacy. This request is consistent with what we learned from previous literature: librarians lack privacy protection training, especially since many were not able to attend training given COVID lockdowns (Wang et al. 2023). A prior study confirms that offering employees education and training can change librarians' viewpoints and raise their awareness of patron privacy protection (Noh 2014). Our findings confirm there is still room for improvement with regard to libraries offering employee training to protect patrons' privacy, particularly from technology aspects.

Urging Library Administration to Align Privacy Protection Policy with Current Practices

As reported in several previous studies, some libraries do not have a privacy policy in place to guide library employees on how to protect patrons' privacy (Wang et al. 2023; Lurd 2021). The findings from this focus group study resonates with the insights learned from the literature and underscores the importance of aligning libraries' existing policies with their current practices. For example, changes to privacy policy and practices are often pending approval by library administration; therefore, their policy is not comprehensive

and does not provide details on privacy protection for using new technologies or dealing with the latest privacy-related challenges such as data leakage and law enforcement requests. Concerns that vendors have collected more data than they need should also be addressed. This requires library administration to work closely with the library IT professionals to negotiate with the vendors or set up guidelines regarding data collection and management, to better protect patrons' privacy. From our focus group study, we also found more than half of the participants were not familiar with the American Library Association Library Privacy Checklist. Among those who have heard of or checked the checklist, most mentioned that the checklist "is a good guideline" and it was their "goal" to implement the checklist; however, in reality, they found it was not implementable. There is an urgent need for administrative support to implement the checklist and other best practices aimed at protecting patron privacy.

Enhancing Communications about Privacy Protections with Patrons

One of the major challenges IT professionals reported when implementing best practices of patron privacy protections is patrons lacking the awareness and accurate knowledge toward protecting their own privacy. Although some patrons are aware and concerned about whether their data or information behavior would be seen and tracked by library staff, other patrons, or third-party vendors, many IT professionals indicated **their patrons did not pay attention to privacy or felt inconvenienced when being asked to follow privacy policy**; especially among those who have **lower digital literacy and need library staff's assistance to complete tasks on computers or online**. This has been relatively common in rural and suburban libraries serving **underserved areas** where the IT professionals mentioned that they are working in a small community where library staff and patrons all know each other; thus, patrons do not voice any privacy concerns and feel frustrated when the library staff cannot enter private information for them "given privacy policy." In addition, as some participants confessed, it is not rare that library staff need to **trade patrons' privacy for patrons' convenience per patrons' requests**. They recognized themselves or their colleagues were forced to follow the privacy policy "flexibly" to fulfill patrons' needs; such comprise especially occurs in libraries serving smaller neighborhoods, since the librarians know the patrons standing in front of them and are more likely to bend the rules for such patrons.

To address these concerns, our study participants suggest that public libraries can develop and **offer education or training on privacy protection to library patrons**. For



example, Libraries should provide **publicly available and easy-to-understand education materials** that clearly state what data would be collected from the patrons for which purpose to increase privacy protection awareness and knowledge not only among the staff but also among the patrons. In addition, libraries could **provide technology classes** on privacy to patrons with lower digital literacy, such as **English-as-Second-Language patrons** who often share private information with library staff given that they need librarians' help to fill out online applications. Moreover, libraries should have clearer privacy policies with vulnerable populations, like juveniles, or **offer patrons options to opt in or opt-out** from library services.

In addition to the aforementioned points, as the study participants reiterated, it is vital to underscore the importance of fostering a robust culture of patron privacy protection within public libraries. This responsibility is not exclusive to library administration alone, but extends to every stakeholder involved, including library staff, both IT and not-IT professionals, and library patrons. Protecting patrons' privacy in public libraries is a collective effort that requires aligning practices, policies, funding, resources, and technologies to ensure the effective implementation of privacy protection measures. By recognizing shared responsibility and actively engaging all stakeholders, public libraries can create a safer and more privacy-conscious environment to protect patrons' privacy.

Conclusion

This focus group study was conducted to uncover the unique practices and challenges IT professionals have encountered in their daily work to protect patrons' privacy. To the best of our knowledge, this is the first focus group study that featured insights from IT professionals, who work at the forefront to safeguard patrons' privacy in public libraries. IT professionals found balancing between protecting patrons' privacy and providing customer service has been a serious challenge. They were concerned with the libraries' practices on using patrons' data, expressed the need for more support on configuring software and hardware, and hoped to work with library administrations to improve policy and practices on patron privacy protections. The participants in the focus group study observed discrepancies between their libraries' privacy policy and actual practices when their colleagues do not strictly adhere to the privacy policy, sometimes due to patrons' requests. Our work makes the unique contribution of identifying the concerns and challenges library IT professionals have that need to be addressed to better protect patrons' privacy in public libraries. Public libraries serving underserved communities confront the dual challenge of

limited financial and technological resources while striving to balance customer service and privacy protection, especially for patrons with lower digital literacy. This is especially important in the context of rural and small libraries which have several vulnerabilities in their library operations. We also identified the technologies and practices IT professionals use to enhance privacy protection and the technical changes they hope to implement. From these findings, we conclude enhancing patrons' privacy protection communication could mitigate the discrepancies between privacy policy and practices. Library employees sometimes are forced to violate privacy policy when patrons are unaware of or unwilling to follow the best privacy protection practices and request the library employees to trade patrons' privacy for convenience. Patrons' privacy protection education could empower patrons, especially vulnerable populations in underserved communities that highly rely on IT resources in libraries but with lower digital literacy, to better protect their privacy. We also noticed that many library staff requested additional support or guidelines that would help them work with the technologies in public libraries more smoothly. Library administration also plays a critical role in maintaining up-to-date privacy policies and practices. Our findings identify the need for further research to explore what might be missing in the library policy, what kind of training can help patrons better understand privacy protections, and what guidelines or resources should be offered to support libraries to address these challenges on protecting patrons' privacy.

Limitations and Future Directions

Our focus group study was conducted during the COVID-19 pandemic; thus, many participants were working remotely. Although we asked participants to respond based on their regular practices as they had been implemented before and during COVID when they joined the study, some responses might still have been impacted given the fact that people could not meet or work in-person at library sites at the time of the study. In addition, though we clearly stated that all the responses would be anonymized in publications, some participants might still tend to not reveal the failures they observed, or the changes needed to be made to the current privacy policy or practices in their libraries given social desirability bias.

To further replicate and investigate these findings, it would be beneficial if existing privacy protection policies of public libraries were collected and analyzed to better understand best practices as well as policies that would need revisions. This type of study would inform libraries that do not have a policy in place or need help with reviewing and updating their current privacy policy. Additionally, given



that many smaller-sized libraries do not have the resources to address the discrepancies between their privacy protection practices and policy, we are working to develop and distribute guidance and automated tools that can help in a technical

aspect, supporting library staff with limited technical background to assess and improve the security and privacy level of their current library systems.

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The Circuitous Reach of Carceral Censorship

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Carceral censorship functions as a repressive apparatus obstructing flows of information and knowledge needed to transform individual lives, as well as bring about criminal justice reform and social change. This article examines the ambiguity, unpredictability, irrationality, but also extensive reach of carceral censorship, from the perspective of faculty teaching and learning inside prison in New York State. The authors examine carceral censorship practices along four main dimensions: communications censorship, interactive censorship, information exiting prison, and research censorship. Our analysis explores the role of censorship in disrupting basic human needs for people in prison, and the extended network of people imprisonment impacts, as the era of mass incarceration unfolds.

As social science scholars who teach at public institutions and firmly believe in quality education accessible to all, we are invested in research that can impact our lives in response to major social issues of our time. We have devoted ourselves, as best as we could, to fighting for and redressing social inequities that prove damaging not only to those directly affected, but ultimately to society as a whole and our collective well-being. As part of our research on combined classes in New York State prisons—which bring “outside” college students into prisons for college courses with incarcerated student peers—we are particularly interested in how faculty who teach combined courses navigate the constraints of prison censorship while working to provide as equitable a college experience as possible for inside and outside students. Over time, our interest in prison censorship has also extended to include its impact on faculty scholarship and dissemination of knowledge for the public good, more broadly.



Censorship in prison comes in many forms and has, over the last half century, come to represent a labyrinthian form of control that expands far beyond prison walls, impacting not only people in prison, but also their family members, partners, friends, and ties to the community. Prisons are provided relatively free reign and need not ask for permission when banning materials, as they enjoy great autonomy in the name of safety and maintaining security. Prison officials are often in the front line of those who determine what materials are accessible or censored to individuals, in prison libraries, as part of educational or vocational programming, and during facility events (such as academic conferences in prison, for instance). Consolidating intact with the dramatic growth of the US prison population between 1972 and 2009 (Nellis 2003), the far-reaching stranglehold of censorship control reinforces neoliberal punitive logics that separate humans from each other and segment them according to social divides (Harcourt 2010).

An increasingly robust and revelatory body of literature documents content-based prison censorship, especially for its direct and important impact on the incarcerated (see Austin 2021; Conrad 2016; Marquis and Luna 2023). The most common reason noted for bans in a 2023 report was content perceived to be “sexually explicit”, effectively extending censorship to “art, medical and drawing books” (Marquis and Luna 2023). Recent research has also documented a sharp increase in what PEN America has called content-neutral censorship related to vendor contracts. As Marquis (2023) notes, “the number of carceral facilities nationwide that limit literature to certain publishing vendors rose from roughly 30 percent in 2015 to 80 percent in 2023”. This newer form of censorship restricts “who can mail literature, . . . who can receive it, or how the package has to look” (Marquis 2023).

A growing body of literature also examines censorship related to higher education in prison specifically, though largely focused on the barriers that advocacy organizations negotiate on behalf of prison college programs (see Wade 2021 for an overview). Far less research directly explores how faculty themselves experience and deal with prison censorship, beyond obvious challenges related to their course syllabi and content material. Prison college programs are acutely aware of the censorship challenges confronting them and their faculty, cognizant that they operate at the discretion of prison protocols and that even minor infractions can jeopardize the very program itself. This is, at the very least, what faculty teaching in prison college programs often internalize for fear of threatening a substantial lifeline to the world outside of carceral confinement.

For faculty who aspire to advance and disseminate scholarship about the value and particulars of teaching and

learning inside prison, carceral censorship becomes deeply embedded as part of their scholarship practice. Venerated notions of academic freedom take on highly charged and contested meaning when teaching, learning, and engaging in scholarship inside facilities. As a self-selected group of educators who essentially agree to forego the coveted virtues of academic engagement free from interference, we must abide by the rules or not be invited back. More importantly, the fear of jeopardizing student access to higher education inside prison, by breaching arcane and seemingly arbitrary censorship protocols, generates a form of self-censorship and policing practice that is difficult to account for.

This article examines the ambiguity, unpredictability, irrationality, but also extensive reach of carceral censorship, from the perspective of faculty teaching and learning inside prison in New York State. Advocates championing the First Amendment rights of the incarcerated have long expressed despair over vigilante powers to obstruct information and communication in and out of US correctional facilities. Regulations vary from state to state, but are often so vaguely construed that they function more like rogue rule. The authors map out and examine carceral censorship practices along four main dimensions: communications censorship (written and non-written information allowed into facilities); interactive censorship (codes of conduct inside facilities); freedom of expression flowing out of prison (information allowed to exit facilities), and research censorship (for policy planning and social change purposes).

Our analysis begins with an overview of correctional censorship and First Amendment jurisprudence in the United States, before contextualizing the contours of censorship practice that influence life, learning, and scholarship inside New York prisons specifically. The article concludes with a summary of the far-reaching impact that variant forms of censorship have for faculty and their students, as well as for the reintegrative relations and human potential of people in prison, their families, and the communities to which they belong. As such, we etch out the consequences of carceral censorship for living, learning, and loving with dignity for faculty and students alike when caught in the expansive reach of human confinement in the United States.

For many, criminal justice has become synonymous with White supremacy and social control, with race and racism at its foundational roots. It is the “new Jim Crow” as Michelle Alexander (2010) persuasively argues. It needs no mentioning that criminal justice and mass incarceration impact people of all kinds, yet we know too well that the numbers are disproportionately skewed by racial demographics and socio-economics. The fundamentally racist “Southern strategy” (i.e., tough-on-crime, the war on drugs, and zero tolerance



politics) that precipitated the behemoth of mass incarceration, ushered in a carceral state and prison industry that now comprises “more than 4,100 corporations and their government conspirators” (Worth Rises 2021). Propped up by human investment gaps in spending and redirecting of public monies, the prison industrial complex prioritizes policing, surveillance, and confinement over community resources and support structures that enable communities and families to grow and flourish together; to live healthy, productive, and fulfilling lives (Davis 2003; Gilmore 2007). It is a system that rationalizes systemic “massive human misery” (Rodriguez 2010, 17), structured around “bleeding people and their communities of their resources, and then further exploiting their devastation” (Worth Rises 2021).

A principal instrument of penal control and the erasure of people in prison from public view, include the chaotic practices that coalesce to configure carceral censorship across US prisons. Following in the footsteps of scholars like Michelle Alexander, Angela Davis and others, whose work on mass incarceration have been crucial for bringing the crisis of incarceration injustice to a broader public, we understand carceral censorship as part of the broader “racial and social control” (Alexander 2010) that deserves more than attention. It serves to discipline and preserve artificial distinctions that catalogue and classify us. Carceral censorship functions as a repressive apparatus obstructing flows of information and knowledge needed to transform individual lives, but also to bring about criminal justice reform and social change.

Carceral Censorship and Accountability in Context

The timeless question of “who will guard the guards themselves” haunted us long before Enlightenment prison reformer Jeremy Bentham designed his infamous Panopticon prison. A literal translation of “quis custodiet ipsos custodes?” the query is often traced to the second century Roman poet Juvenal and references the conundrum of how to control those in control. In a peculiar twist to his ubiquitous (and arguably perverse), mind-controlling system of surveillance, Bentham the moral philosopher, was preoccupied with the social duty to mete out “humane” penance. His *inspection principle* was intended for both the incarcerated and their custodians, and advocated public oversight and control over prison management through transparency, public access to prisons, and publicity. Despite its far reach into history however, concerns over oversight—penal and otherwise—and how to hold “the powers that be” to account, have proved persistent and make up a growing burden as mass incarceration unfolds.

More recently, the Black Lives Matter movement catalyzed outrage over police brutality, propelling the question of “who polices the police” to the forefront of public debate. Amid expanding recognition that the criminal justice system has little to do with “justice,” the time is ripe to reevaluate what, who, and how we evaluate, as part of accounting for the public goods we hold in common. We may be “guests in [the] house” of prison by jurisdiction, but the taxpayer monies that fund salaries and operations of public institutions ultimately render corrections accountable to the public (Hager 2020, 5). As the only democracy in the world with no independent authority for monitoring prison conditions (American Civil Liberties Union 2021c), the United States has come under increasing newsworthy scrutiny for its censorship violations over the years.

The 2019 NPR news story from Danville Correctional Facility in Illinois, where the Illinois University Education Justice Project (EJP) provides college programming for the incarcerated, illustrates a stunning example (Gaines 2019). More than 200 books were indiscriminately banned after two “racially motivated” editorial cartoons were identified amid curricular print materials. The cartoons were historical in nature and originated in Yale Law School Professor James Forman Jr.’s Pulitzer Prize winning book *Locking Up Our Own*. Danville’s warden subsequently ordered books removed wholesale, without “authority from higher up” (Gaines 2019), temporarily suspending college courses underway. Among other books banned have been classics such as *Uncle Tom’s Cabin* and the *Narrative Life of Frederick Douglass* (Freedom to Learn Campaign). The Danville censorship case ignited trailblazing blowback, ultimately strengthening the resolve to fight for every human’s Right to Read and expand their mind, but serves as a stark reminder that prison education programs are fragile when at the mercy of a repressive penal state.

Stories of “misguided and harmful . . . censorship” (Bromwich and Mueller 2018) similar to Danville have entered the media spotlight across various states (i.e., Pennsylvania, Florida, North Carolina, New Jersey). Despite being “purposefully exaggerated” (Tager 2019), hyperbole about books as a hidden means of transporting contraband has lent support to draconian policies that prohibit materials from entering facilities. Perhaps most mind-boggling is the censorship case of Texas where more than 10,000 books are banned, but Adolf Hitler’s *Mein Kampf* and Battersby’s *Holy Book of Adolf Hitler* remain on the list of authorized titles (McGaughy 2017). This may not strike readers as surprising in the aftermath of the violent 2020 insurrection, orchestrated by reactionary right extremist groups, which took hold of the Capitol to protest President Trump’s election loss.



COVID-19 has not helped matters. In 2020, American Prospect documented the heightened restrictions imposed on media access in Arizona prisons, where communications between the press and people in prison were drastically reduced post COVID-19 pandemic (Piser and Brown 2020). Representing a state with one of the highest incarceration rates in the country, Arizona Department of Corrections introduced the new media policy amid rising numbers of COVID cases in prisons (Piser and Brown 2020). Piser and Brown describe the ruthless policy move as “rooted in decades of restrictive state or federal communications policies that have made the incarceration system a black box,” noting that the stakes appeared to intensify with the ravaging effects of the pandemic inside jails and prisons. Mailroom staff are often the first to review incoming print materials, and possess a great deal of subjective latitude to accept or reject content (McGaughy 2017).

Censorship in prison expands far beyond book bans or access to text-based information. After situating prison censorship within the tightening legal confines of US jurisprudence, the remainder of this article documents some of the far-reaching mechanisms by which carceral censorship in New York State prisons serves to maintain a repressive state.

Prison Censorship and US Jurisprudence

On the heels of mounting controversy over US prison censorship, and the absence of rational, systematic mechanisms of accountability, scholars and practitioners have expressed increasing concern over the constitutional rights of people in prison. The First Amendment rights of people in prison have been notoriously restricted under US jurisprudence. This is in large part because the courts hesitate to overstep the authority of prison officials in matters related to prison protocols, deferring instead to their “expert judgement” (Pell v. Procunier 1974). The American Civil Liberties Union (ACLU) explains that despite the US Supreme Court ruling that the “First Amendment entitles prisoners to receive and send mail, subject only to the institution’s need to protect security, . . . prisoners’ rights are often curtailed far beyond what is necessary for institutional security” (ACLU 2021a, para. 1). Many of the cryptic censorship protocols appear to serve neither security nor any other rational purpose, but instead harm

not only prisoners, but also their families, friends, and the public. Communication between prisoners and the outside world permits prisoners to preserve ties with their families and friends, to preserve their humanity, but also allows the public a means of oversight over conditions inside these closed facilities. (ACLU 2021a, para. 2)

In 1974, the landmark *Pell v. Procunier* case ruled that prison officials be accorded wide-ranging deference, unless “substantial evidence in the record . . . indicate that the officials have exaggerated their response to [security] considerations.” (para. 22). The 1987 Supreme Court ruling *Turner v. Safley*, in turn, upheld deference to the “expert judgement” of prison officials, establishing the widely used *Turner* test to determine the constitutionality of restricting the fundamental rights of the incarcerated. Infringing on prisoners’ constitutional rights is considered valid providing it reasonably and legitimately relates to penological interests, “unless the logical connection between the regulation and the asserted goal is so remote as to render the policy arbitrary or irrational” (Turner v. Safley 1987, para. 2). Yet definitions of “penological interest” are as subjective and potentially irrational as they are reasonable and justified, depending on the individual, ideological, or political perspective. When compared to other Western cultures, the archaic penal philosophy that predominates across US corrections appears nonsensical, at least if rehabilitation is the intent. Many Western European penal systems espouse restorative prison praxis, experimenting with the “normalization principle” (Rijt, Ginneken, and Boone 2022) and policies that facilitate reintegrative success for people returning to society (Chammah 2015).

The institutional protections that US jurisprudence has granted corrections and penal policy are daunting, particularly considering 1996 legislation that rendered fair court hearings for prisoners virtually impossible (Poser 2016). Poser (2016) explains that the 1996 Prison Litigation Reform Act (PLRA) “crippled the federal judiciary’s ability to act as a watchdog over prison conditions” (para. 2). Designed to reduce the exorbitant number of prison lawsuits that reach the courts, the law introduced new regulations for prisoners grieving their rights. The “exhaustion requirement” of the PLRA stipulates that prisoners first submit grievances to their prison’s administration, internally, and appeal any decision as far as their state correctional system allows, before turning to the courts (Poser 2016). Lack of external governance or systematic oversight overwhelmingly discourages grievance procedures however, fraught as they are with confusing irregularities (Poser 2016, para. 4). That prison administrators would remain impartial and measured in evaluating complaints directed at the institution they represent is suspect, at best, and overall doubtful considering the renowned track-record of corruption within corrections. The potential for fraud is not only flagrant, but a temptation seemingly difficult to resist, if news media over the years is any indication.

Part of Clinton-era criminal justice legislation, the PLRA effectively made protecting the rights of the incarcerated



through legal means evermore arduous, while facilitating the ability of prisons to circumvent external accountability. Court orders composed a major source of oversight in US prisons prior to the PLRA, but have since plummeted (Schlanger 2015). The “exhaustion requirement” in particular has proved a deterrence, but provisions in the act also restrict lawsuits alleging mental or emotional harm, and impose a host of regulations related to the financial burdens of litigation on the part of the incarcerated. Courts are no longer allowed to waive court fees for incarcerated people, and if lawsuits succeed, the statute limits the amount of litigation costs that courts can order a prison facility to pay attorneys who represent the incarcerated. This has drastically reduced the number of lawyers willing to represent prisoners in their cases. The ACLU National Prison Project reports that the PLRA “and its state analogs significantly reduced judicial oversight of prisons, . . . and has resulted in serious abuses going unchecked” (ACLU 2021b).

As isolated sites where politically powerless and vulnerable populations are hidden from view, “external oversight is critical to guard against mistreatment and abuse” (ACLU 2021b). How prison administrators, many who do not hold terminal degrees in any disciplinary field of higher education, nor specialized degrees relevant to criminal justice, and many who—to the dismay of watchdog groups—receive limited training (Russo et al. 2018), would be poised to assess the value and validity of information and education materials flowing in and out of prisons is hard to understand. Research by Wade (2021) into security clearance procedures for instructional materials for higher education in prison programs nationwide found that

the vast majority of programs submit materials for security screening, with prison management and staff most frequently overseeing this process [responsible for overseeing materials: Wardens, 27; security staff, 12; State DOC, 10; and review board 4]. Notably, state departments of corrections were four times less likely to be involved with security screening than prison personnel, while independent review boards only rarely participated. (13)

Wade also found that content restrictions were far more prevalent among survey respondents than modality or school supply restrictions (50%). When asked specifically about formal and informal subject matter restrictions, college in prison administrators reported:

the expected bans on content related to violence, sex, and drugs, [but] respondents also reported informal restrictions imposed on content related to mass incarceration, rioting,

racism, and gender and sexuality. The prevalence of informal restrictions on topics directly related to race like Black Lives Matter, slavery, and racism was especially noteworthy. (15)

This central finding of Wade’s (2021) study—that subject matter “restrictions occur outside the bounds of formal policy”—clearly impacts faculty as much as incarcerated students (16). College program administrators and institutions can challenge those restrictions, but must constantly weigh the risks of those challenges. Incarcerated students may be unaware of the restrictions they are facing. And if they knew, grieving those restrictions is a burdensome, risky prospect. If those students did challenge the restrictions, it is unclear how prison administrators would evaluate the legitimacy of grievances based on prisoner constitutional rights under the First Amendment any differently than they did to restrict the content in the first place. As a form of autocratic, ad hoc obstructionist process, that operates at the leisure of a deferential judicial system, challenges from the incarcerated to content bans appears to protect prison institutions from outside accountability, and resembles more makeshift justice. With no independent authority or body to monitor conditions inside prisons, and with severely curtailed media access into prisons, judicial oversight of the sites where humans are constrained from view remains an impossibility.¹

There is nationwide need for systematic oversight and accountability, following humane standards (universal human rights based) that protect prisoner rights and ensure equitable pathways toward human transformation and reintegration, including the freedom to learn through education embedded in meaningful human relations. Absent the freedom to access substantive content upon which pursuit of knowledge depends, and to learn in relation to others, the human right to freedom of thought, conscience, and religion (United Nations 1948) is severely constrained. As a global leader in incarcerating people, the time is long overdue for the United States to reckon with the extent to which prison censorship policies violate basic (universal) human rights and needs. Despite cumulative warnings about dwindling information on “what happens behind prison walls,” a morass of inchoate practices serves to sustain impermeability of censorship across US jails and prisons (Calavita and Jenness 2015, 2).

1. The Correctional Association of New York (CANY) is the only independent organization in New York with authority under state law to monitor prisons and report findings to the legislature and the broader public, but they experience great limitations in this role.



Censorship Inside-Out: War On and Beyond Written Words

As recently as spring 2021, we grappled with the dilemmas that censorship and policing of relations impose on our freedom to express and collectively reflect on our experiences of learning together in the combined classes that both authors have taught. In preparing for a panel presentation at a conference on the significance of “building community,” we found ourselves self-surveilling content from fear that the experiences we had shared, and in turn wished to share with a wider audience, somehow threatened the exigencies of penal governance. As we were honing our talking points on the subject at hand—the ability of combined class participants to develop genuine connections and build community, facilitated by classroom activities and willingness to open their hearts, minds and emotions—we were reminded, as we often are, of the absurdity that such relational management and theatrical masquerading represent. Why should we labor so hard to diffuse and camouflage remarkable feats in community building, when they are precisely the meat of the matter that give meaning; that heal, repair, restore, reinvigorate, and rejuvenate us?

At a very basic level, prison censorship implicates the knowledge, information, and resources—printed, spoken or otherwise—that enter and exit prisons. This has obvious repercussions for education content and pedagogy when teaching and learning inside prisons, particularly where critical, dialectical theory and praxis are concerned. Despite the overall increased focus on prison reform in recent years, censorship practices seem only to have exacerbated. Entering prison facilities, the nonincarcerated must prepare to navigate a deluge of unpredictable powers to censor, without explanation. Few externally independent checks and balances exist for how censorship policies are determined or enforced, resulting in “little oversight or public scrutiny” (Tager 2019). In New York State, censorship is coded within a series of directives that infringe, to a lesser or greater degree, on flows of information, communication, and relations. They include, inter alia: the *Volunteer Services Program Directive* and its *Standards of Conduct for Volunteers*, the *Media Review Directive*, and the *Research Studies and Surveys Directive* (New York State Department of Corrections and Community Supervision, 2020). The following sections review each in turn, alongside their impact on the rights of people in and beyond prison, as they strive to extend higher education behind prison walls.

Written and Unwritten Communication Censorship

The New York State Department of Corrections and Community Supervision (NYS DOCCS) is beholden to directives that all employees, visitors, the incarcerated, media, researchers, and the public must follow. Restrictions on literature and information authorized to enter and exit prison facilities include all print and nonprint mediums, and require clearance following the Media Review directive. Any publication that incites disobedience against law enforcement officers or prison personnel, or that advocates violence, is prohibited (NYS DOCCS 2020, 1–2). Materials are vetted by the Facility Media Review Committee, which the directive recommends consist of “representatives from Program Services and . . . Security Staff” (NYS DOCCS Media Review 2020, 4).² Beyond a brief mention of including education staff on the review committee, little reference is made to materials used inside facilities for educational purposes specifically.

Censorship of information, literature, and media that may enter and exit facilities present particular challenges for college-in-prison programs. Although it is official “Departmental policy to encourage inmates [*sic*] to read publications from varied sources if such material does not encourage them to engage in behavior that might be disruptive to orderly facility operations”, the Facility Media Review Committee has discretionary power to approve or deny materials (NYS DOCCS Media Review 2020, 1). The directive describes in very broad and general terms “the reasonable good faith belief” that establishes whether a “publication violates one or more of the Media Review guidelines” (NYS DOCCS Media Review 2020, 4). This raises obvious concerns related to interpretation and relevancy of information resources—as based in knowledge and expertise of curricular content—and composition of designated review boards. As indicated earlier, the absence of any external oversight for evaluating the appropriateness of postsecondary learning materials inside prison facilities is particularly problematic.³

Censorship and media review also raise challenges related to time and scheduling, moreover, when teaching in response to developments that emerge inside liberal arts college classrooms. As dynamic sites where content and the curricular schedule is often adjusted to accommodate the needs and interactive progress of students, clearance of materials can

2. i.e., the Guidance Unit, Mental Health office, Chaplain office, Education Unit, etc.

3. However, it is not lost on the authors that a formal policy restricting materials might be even more conservative and punitive than informal decision-making.



be an ongoing battle against time in a short semester. Even under the best of prepared circumstances, instructors cannot always anticipate developments and the direction in which a course unfolds. If emergent, relevant curricular resources are to be infused along the way, media review takes time when vetted according to protocol. This becomes particularly applicable in relation to cutting-edge social issues that coursework seeks to engage, amid a rapidly shifting social and political landscape that social media and technology now inspire.

Code of Conduct and Interactive Censorship

Prior to entering prison facilities on a regular basis, visitors are initiated in the codes of conduct designed to regulate interaction between the incarcerated and nonincarcerated. All visitors not officially employed by NYS DOCCS, but who enter the facility on a regular basis, are designated “volunteers.” They are expected to abide by “the rules, regulations, and guidelines required of Department employees,” but must also comply with directives specific to volunteers (NYS DOCCS Volunteer Services Program 2020, 3). Anyone with volunteer status must complete a 3–4 hour orientation, alongside fingerprinting and identification certification, before frequenting the prison. The orientation distinctively characterizes incarcerated people as a separate breed of human, unequal in moral measure, and cautions participants about their overall manipulative prowess. Volunteers are instructed to maintain distance at all costs—physical, personal, emotional. Visiting (“outside”) students leave the orientation with mixed reactions that range from fear to sadness, offense, anger, cynicism, and ridicule. Teaching combined classes threw into sharp relief the reach of carceral censorship and its influence over our faculty role as mediators of the prison classroom experience.

Orientation participants are coached in the (gendered) particulars of appropriate attire when entering prison facilities: nothing see-through, too tight or revealing; no skin above mid thigh, plunging necklines, bare backs or midriffs; no open-heel shoes; no green (reserved for the incarcerated); no gang-related insignia or symbolism, and so forth. Participants are further instructed in the sundries or essentials that may or absolutely may not accompany them into the facility (no click pens, spiral notebooks, electronics, glass bottles, implements of escape, drug paraphernalia, intoxicants, poisons, items that could be used as a weapon or pose a danger, and so on), and are drilled in what they can and cannot say, discuss, disclose, express, share, or communicate when in the presence of fellow students in prison. There is no mingling or

cavorting without pedantic purpose. There is no breaking of bread and sharing of food, drinks or treats, even to celebrate milestones. Above all, there is no touching or expressions of affection, no physical gestures of compassion, no hugs goodbye at the end of semester.

The censorship directives regulating information that nonincarcerated people entering a facility are authorized to share with people in prison are particularly perplexing, and at a fundamental human level, feel offensive. Coded in the Standards of Conduct for Volunteers, they cover information that is both personal and more general in scope, that faculty and student participants of combined classes may exchange during conversation. The codes of conduct create obvious conflicts of interests between learning embedded in human relations on the one hand, and the risk of “getting kicked out of prison” on the other (Scott 2013, 28). As Rob Scott (Cornell University Prison Education Program) explains: “you can be banned from prison if you are deemed to be overtly friendly or ‘fraternizing’ with incarcerated people” (2013, 28). The parameters for acceptable versus unacceptable interaction and information sharing between students inside and outside prison becomes a slippery slope that contradicts contemporary classroom pedagogy and learning, in which human interpersonal relationships and dialectical knowledge accumulation are centerstage.

As the cornerstone of liberal arts education and learning through free exchange of ideas, critical thinking and expression pose difficult dilemmas related to the “comments and presentation content” that DOCCS deems acceptable for volunteers. The directives specify that interaction and content must be kept positive, and that “profanity, vulgarity, and comments that are critical of a particular agency or group of individuals will not be tolerated” (NYS DOCCS Standards of Conduct for Volunteers 2020, 4). Volunteers are “expected to support the Departmental Mission and not to portray the Department in a negative fashion” (NYS DOCCS Volunteer Services Program 2020, 3). During interactive exchanges, “personal information . . . such as [that] pertaining to your family, home address, phone number, and personal habits should not be revealed (NYS DOCCS Standards of Conduct for Volunteers, 4). All in all, volunteers are expected to maintain a “professional relationship” when “working with inmates [sic throughout] on a regular basis,” and to “avoid becoming emotionally involved with inmates” (3).

Freedom of Expression Beyond the Walls of Prison

Faculty and nonincarcerated students alike are technically prohibited from discussing or reporting on their



participation in programs from inside facilities. The directives regulating information that leaves the prison are ambiguous, and rouse uncertainty regarding what visitors are authorized to share with the outside world at conferences, for publishing purposes, in academic forums, on main college campuses, or at large. The excessive and obtruse restrictions on communication flows in and out of prison interfere with significant opportunities for dialogue and exchange that students, faculty, and researchers rely on to develop scholarship and advance knowledge through peer review, feedback, and debate. As alluded to earlier, the directives produce a problematic gray-zone in which the First Amendment rights of not only the incarcerated, but also the nonincarcerated, are potentially infringed upon. To what extent is it appropriate for the State to deny nonincarcerated students the right to share their personal experiences of learning alongside incarcerated students, with students on their main campus, their families or friends, or with the public at large?

These and related questions about the legitimacy of prison protocols, and their lack of clarity, reveal the complexity and reach of carceral censorship—the rights of all people to express themselves freely inside but also beyond prison walls. It has problematic implications for scholars and researchers who aim to advance policy and reform efforts on important social issues of the day. For scholars affiliated with a higher education system on the brink of collapse, where more than 70 percent of all instructional staff are now neither tenured nor tenure-tracked (working on insufficient if not unsustainable salaries), and for which publication determines whether they perish or prevail, investing in this exigent area of research straddles professional suicide (American Association of University Professors 2017). The monumental hurdles that prevent efforts to understand and redress the contemporary crisis of criminal injustice—academic or otherwise—become the gravest censorship of all.

Censorship of Research and Policy Planning

Ironically, it is the official policy of DOCCS to “promote research in the field of Corrections and Community Supervision and to support professional studies of Departmental operations” (NYS DOCCS Research Studies and Surveys 2020, 1). The Research Studies and Survey Directive lays out the guidelines for conducting research. The Division of Program Planning, Research and Evaluation, located in Albany, is primarily responsible for approving and monitoring research, but a great deal of latitude exists at the facility level when determining what is viable. This creates discretionary obscurity regarding what is or is not permissible.

The research directive guidelines include a list of seven basic requirements: that research is conducted by professional researchers, college faculty, or graduate students; that an acceptable research proposal is submitted; that research has value for DOCCS; that research will not interfere with facility operations; that research participation is strictly voluntary and anonymous; and that study findings are submitted to DOCCS for review prior to publication.

The directive further specifies requirements during research, including the use of consent forms, explaining the goals and methods of research to participants, and prohibiting the compensation of research participants. Overall, these guidelines correspond with Federal policy to protect human subjects during research, also known as the “Common Rule,” which include specific protections for people in prison. As the baseline standard of ethics that guide biomedical and behavioral research involving human subjects in the United States, the Common Rule governs the oversight required by Institutional Review Boards (IRBs) at US academic institutions and when research is financed by government funds. Challenges related to university IRB clearance are well known to scholars, who dread the bureaucracy, time drain, and labor investment that research proposals often involve, no matter how necessary the protections may be.

In part, the problem has been traced to the use of a medical model to establish guidelines for all research, including ethnographic fieldwork and qualitative interviews that do not involve “experimentation” on subjects. As Essig (2011) explains in her *Chronicle of Higher Education* commentary “IRBs have effectively shut down our ability to actually find out about people’s lived experiences” (para. 3). Because speaking to research participants is treated as “equivalent to experimenting on them,” laborious, and in many cases inappropriate, IRB protocols undermine fieldwork and qualitative data collection altogether (Essig 2011, para. 3). These critiques from researchers led to the revision of the Common Rule after 2018 (Jaschik 2017). The Revised Common Rule expanded the types of research that can be exempt from review, simplified consent forms, and allowed the use of a single IRB. Revisions to the Common Rule notwithstanding, IRB conundrums are often compounded by discrepancies in interpretation related to ideology and research validity. Like the media review boards pieced together in prison facilities and designed to represent select constituents, IRBs typically convene a mix of multidisciplinary researchers and lay people (following Common Rule specifications).

The problem, of course, is that what one representative deems research worthy and legitimate in design, another finds objectionable. Essig (2011) describes being summoned by her university IRB because she had “interviewed people



who identified as transgender” but had failed to treat them as a “vulnerable population” under the designation “people with mental illness” (para. 4). The psychology professor presiding on the review board maintained that people who identify as transgender suffer “from Gender Identity Disorder as listed in the DSM,” and that the research design was therefore flawed (Essig 2011, para. 5).⁴ We need only imagine how analogous inconsistencies in ideological interpretation might seep into and influence assessment of materials deemed permissible or not, as part of media review inside prisons. In sum, we ask what is to be done when “getting through the IRB is far more difficult than getting through the prison doors” (Essig 2011, para. 3), yet getting proposed research through the prison doors in reasonable time makes actually conducting prison research something of an impossibility? This has been the predicament we find ourselves in, as years pass and we wait, nudge, plead, and finesse, to make headway.

We submitted our first IRB proposal to the college where both authors have taught prison combined classes in the spring semester 2014. After seven university IRB reviews, multiple revisions, and extensive back and forth, including an irregular request from DOCCS that our research be approved by the Inside-Out Prison Exchange Program at Temple University⁵ (where one of the authors was trained), we finally received NYS DOCCS approval in May 2017. The approval authorized research in two New York State correctional facilities for women only however, despite our request to include male facilities in the study. Further delayed by the need to secure permission from the prison Superintendent—who requested DOCCS confirmation authorizing us to record interviews (despite explicitly stated in the approved proposal)—it was not until spring 2018 that we were able to begin interviews inside prison. This final permission allowed us to record interviews using the facility’s ancient audio-recorder only. As grateful as we are for permission to document the experiences of students in prison, the inferior quality of recordings on this antiquated machine has added great cost (labor and time) to transcription and data analysis. It serves as another reminder of the obstacles that discourage, and effectively censor, the voices of people in prison.

Carceral Censorship, Reintegrative Relations, and Human Potential

Protecting against escape plans or other provocations of “lawlessness, violence, [and] anarchy” notwithstanding, how

do we move toward meaningful reform if those at the epicenter of the current criminal justice crisis are denied access to and erased from public debate (NYS DOCCS Media Review 2020, 1)? And how can faculty who aspire to maintain academic freedom and students’ rights contribute to that meaningful reform? In its current shape, or shapelessness, carceral censorship comes to permeate critical dimensions of social life and interfere with our ability to improve our condition. Included in this realm are such hallmark indicators as educational equity for all, teaching and learning together as social beings, academic freedom and the right to share knowledge, research and development for policy and planning, but also freedom of expression writ large—for the astounding number of humans impacted by mass incarceration, inside and outside prison.

There is little that educators strive for more than genuine, transformative learning environments, where culturally responsive and compelling content enable students to connect with each other, and connect content they learn to their lives; where generative dialogue resonates with personal experience. In the shadows of a disjointed double consciousness that carceral censorship animates, however, faculty and student participants of combined classes are dissuaded from celebrating community and the transformative relations generated against all odds. Instead, they must wrangle the distorted sense-making of carceral censorship logic. Human connections and the formative sense of community they foster breathe life into learning, but are constrained by byzantine and seemingly irrational censorship protocols that are often arbitrarily or unsystematically enforced.

Students assimilate classroom knowledge through interacting, developing trust, and sharing their ideas, interpretations, experiences, hopes, and aspirations for the future—none of which can be detached from their identity as individuals or members of communities. When able to lower their guard and communicate meaningful points of interconnection, students consolidate learning in new ways. As such, we argue that the restrictions formally inscribed onto student interaction in prison classrooms, including combined classrooms, represent a profound and dehumanizing censorship violation. How, we ask, do you engage in academic discourse, explore new knowledge, and partake in generative learning with others without developing relationships, and toward what end? In what way does prohibiting students from perusing and interpreting subject matter, as contextualized within their lived experiences and understandings of contemporary life, not violate freedom of expression?

Research has accumulated on the significant role of human interpersonal relations, interaction, and sense of belonging for learning, as well as for health, healing, and

4. This definition has since been dropped in DSM-5.

5. despite having no dominion over the research.



well-being more generally. Building on foundational theory of cognitive and developmental psychology (Piaget 1975; Ruble 1994), a growing body of literature suggests that “informal social interaction with peers from diverse backgrounds challenge students’ familiar cognitive frameworks” (Utheim 2020, 8), which in turn not only stimulates active thinking and provides important opportunities to practice interactive skills, but hones ability to navigate conflicting perspectives (Hurtado 2005; Gurin et al. 2002; Gurin, Nagda, and Lopez 2004). Such findings reinforce studies linking cognitive development to ruptures in “familiar conceptual frames that interactions with diverse peers occasion” (Gurin et al. 2002; Roksa et al. 2017; Utheim 2020, 27). All this is to underscore the importance of interpersonal and social interaction for cognitive development, and for facilitating the disequilibrium (Piaget 1975) needed to interrupt “mindless” (Langer 1978) habitual thinking schemas.

At the root of transformative learning is a climate that encourages curiosity and creative imagination, independent thought, critical questioning, dialectic analysis, and Socratic dialogue. Although these pedagogical anchors may stand in stark contrast to the dogma and control that pervades prison life, they comprise the vestiges of enlightenment that enable humans to grow, restore, transcend, and flourish as members of their community. In short, they are the sort of dynamic processes you are unlikely to acquire when alienated from others—in relation to whom your thoughts,

feelings, behaviors, reactions, and understandings assume meaning. Transformative learning is not a tidy transaction of vetted information transferred from one person to another. It is relational, messy, unpredictable in effect, and intended to take students outside their customary comfort zone. The information diversity and cognitive dissonance that emerge from *engaging with* others who are different from ourselves are essential to expand understanding and integrate knowledge in new ways.

A shift in tone has emerged among US correctional professionals. It has in part been attributed to the influence of European corrections, where rehabilitation takes precedence over punishment and where the goal is to couple “counseling and education with an environment that mimics the world these men and women will rejoin at the end of their sentences” (Chammah 2017, para. 2). This represents a crucial development, considering mounting evidence on the significance of social belonging and human connection for well-being, healing, and ability to thrive (Mead et al. 2021). The era of neoliberal penalty has led us light years adrift from our responsibility to provide the supports that avert unmet need in the first or final instance (Harcourt 2010). Instead, carceral governance—with its impermeable censorship grip—represents a failure of the imagination; a failure to understand and appreciate the profound potential of human connection and belonging for repairing harm and restoring justice—whether teaching, learning, or pursuing research for the common good, inside and outside prison.

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