Chapter 5

WHAT'S NEXT FOR LIBRARY FILTERING?

When the Supreme Court found CIPA constitutional, the role of public libraries in today's society was immediately put into question. Is the library a venue committed to free speech, the exchange of diverse points of view, and open access to information? Or is the library a vehicle of the state, operating from fear and mistrust rather than optimism and cooperation?

CIPA, as currently interpreted by the Supreme Court and implemented by the FCC, is likely to change. The rules pertaining to filtering staff computers and whether adults can choose for themselves to be filtered are likely to be challenged by various individuals and groups.

Libraries will undoubtedly by sued by parties affiliated with both sides of the issue, and these lawsuits will generate new interpretations and new laws. Already some states are trying to pass their own versions of CIPA, and the ACLU and others are still in the process of challenging CIPA's precursor, COPA. Librarians haven't seen the end of CIPA and its offspring.

COPA: Child Online Protection Act

For more information on COPA legislation, see www.cdt.org/speech/copa/copa.shtml

As the practical realities of filtering come to light, the FCC and Congress will likely alleviate some of the burdens on libraries by allowing for:

- Staff computers to be unfiltered
- Some adult computers to be unfiltered
- Adult patrons to choose for themselves whether to be filtered

These changes alone will change the landscape of library filtering dramatically. Most notably, the changes will return control over the delivery of Internet access back into the hands of the library.

Filters are here to stay for the children's computers in libraries. Congress isn't the only party demanding them, so is the community. But filtering children's computers is a more manageable prospect than filtering all library computers including staff workstations. And a cheaper prospect as well.

Forcing libraries to purchase filters that charge per seat and then requiring them to filter staff computers in the name of protecting children doesn't make sense. As these practical issues come to light, changes will likely follow to alleviate the burden currently facing libraries.

As libraries increase their role as consumers of filter products, the filter companies will begin to address library needs. Already, the changes are being made as more advanced disabling and overriding features are introduced, and the ability to block images (visual depictions) without blocking text in a specific content category becomes available. Eventually, a filter will come to market that is designed specifically for library use.

The release of filter modules by the integrated library systems (ILS) is another likely development in the filter market. Many established filter companies such as Cerberian and Smartfilter (which recently purchased N2H2) are likely to cut deals with ILS vendors allowing their filters to be incorporated into yet another ILS module.

Although this incorporation is likely to happen, whether it will be a good development isn't clear. Filter control will probably move from the filter company to the ILS vendor instead of back to the library.

Libraries should be able to control their own environments, and this control includes how Internet access is delivered. Eventually librarians will need to take a more active hand in developing filters and block lists.

Endeavors such as those taken by the librarians in Kansas with their KanGuard filter present an excellent example of how this control is being taken today. Rather than continuing to rely on nonprofessionals to make decisions about categorizing content, librarians will eventually team up and create their own library block lists using filters their own people design.

Open-source filters combined with cooperative URL lists show the most promise for the future. This trend was given a big boost in December 2003 with the introduction of URLBlacklists.com onto the market. This company provides management and coordination of a list of URLs that anyone can use as long as their filter can import free text lists of URLs.

The transparency of the shared, free text lists of URLs; the low cost and flexibility of open-source software; and the promise of coordinating the development of lists suitable for libraries will eliminate many of the problems associated with filtering in the libraries.

Once open-source products mature, libraries start cooperating, and the FCC or Congress relax some of the unreasonably burdensome aspects of CIPA, libraries can return to their historical role as guardians of the first amendment, committed to educating the country's citizens and providing a safe forum for all members of the community to explore new ideas.