

# FILTERING INTERNET CONTENT IN LIBRARIES

If you are reading this book as a librarian who is not under pressure to filter your library's public-access computers, congratulations. You are to be lauded for your forethought and planning. Obtaining this book and planning your strategy—before the Internet content issue explodes in your library—is commendable.

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*As Internet filtering expert Karen G. Schneider says, "The time to prepare for the Internet content issue is before it becomes a problem. It's hard to think with a gun at your head" (Schneider, 1997).*

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For those of you who are under pressure from parental groups, community organizations, or your administration, you have my condolences. You should skip all the background information presented in these first few chapters and turn right to the "Alternatives to Filters" section. Actually, you have probably already done that. Having flipped to that section first, desperately seeking a silver bullet alternative—something you could stick on the computers to appease the clamoring crowds without censoring any content—you have turned back to the beginning. In disappointment, you are continuing your search.

Most librarians have been touched by the Internet filtering debate. Public concerns about Internet access are real, and pressures to add filtering devices in libraries are growing. As of this writing a new federal appropriations bill mandating filtering products in schools and libraries receiving federal e-rate subsidies has just been passed. At least five states require filters or policies that restrict minors' Internet access in their public and school libraries (Stone, D., personal communication, Dec. 28, 2000).

Even those libraries not under filtering mandates may begin to feel some filtering heat. According to one high-tech industry survey, an astonishing 92% of Americans believe schools should use software filters to block pornography; 72% of Americans want filters to block hate speech (Salkowski, 2000).

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*In an articulate piece about filtering shortcomings, Joe Salkowski wrote in the Chicago Tribune that politicians will continue to advocate filters even though they do not work. "Why? Because even though filters are bad software, they make good politics" (Salkowski, 2000).*

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The issue of filtering Internet content is not just a public or school library issue. Academic, community college, and special libraries are affected. Pornography problems are even within the hallowed halls of law libraries, reveals one survey of these types of libraries. The problem was so serious one law library had installed a mechanical filter, another recommended privacy screens, and others had strategically positioned their public access computers or were using student assistants as roving deterrence, all alternatives discussed in this report (Trammell, R., taken from personal e-mail, Dec. 20, 2000).

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*One of the reasons I accepted this research topic was so that, as a library director of an academic library, I could find an effective filtering alternative. My pressure was coming not from the public, but from my fellow library employees. Just days after I attended a sexual harassment seminar, several staff members expressed their outrage at the graphic sexual images our college students were viewing in the Reference Room. Having discussed at length the legal dangers of displaying sexually explicit pictures at work, I began searching for a workable alternative to a filter for this library.*

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Though the sexual harassment aspect of the Internet controversy has not received as much attention as children's access, library employers should be aware of this volatile issue. Federal sexual harassment protections shield all employees from "a hostile work environment." According to the federal agency responsible for enforcing discriminatory harassment issues, no workplace may subject their employees to "displays of 'girlie pictures' and other offensive conduct...even if many people deem it to be harmless or insignificant" (EEOC Compliance Manual (CCH) Sec. 614, Chapter 3114(c)(1), at 3274 (1990) as quoted in Peck, 2000).

According to library legal expert Robert S. Peck, "it is possible that speech or imagery can contribute to a hostile work environment..."; however, he does not believe such a claim would be successful without "...other discriminatory conduct that pervaded the work environment..." (Peck, 2000).

This same conclusion was rendered in a major court case concerning library filters when the court rejected the rationale that filters were needed to prevent sexual harassment of employees (*Mainstream Loudoun v. Board of Trustees*, 24 F. Supp. 2d 552, 556 as quoted in Peck, 2000). Though there may be no legal reason for action, all types of libraries—academic, public, school and special—should consider this aspect of the issue and search for effective alternatives to filtering.

### Purpose of This Report

The American Library Association (ALA) has stated, "Public concerns about Internet access at the library should not be ignored. All libraries should consider taking steps to prepare for possible debate. Library staff should be vigilant in monitoring developments in technology that best provide privacy, respect for First Amendment rights and freedom of choice for library users" (ALA, 2000, Toolkit). This report has been compiled to help librarians engage in this debate and monitor filtering technology by providing library decision-makers with information on alternatives that currently exist to Internet filters.

All the major filtering alternatives that could be located have been included, even those not widely being used. Each alternative includes a description of the alternative, source information, advantages, and disadvantages. Whenever possible, examples of the implementation of each within a library setting are provided.

This report serves as an overview of the technologies and methods available but does not evaluate or recommend specific products. Sources and prices of products are given, when appropriate, but no preference for any existing device, product, or service is recommended. Sources of additional information, including online resources and a bibliography, are included.

Due to the nature of this issue, many of the alternatives are nontechnological in nature. These have been included, as well, so library decision-makers can consider the entire array of solutions available.

Since this report is primarily concerned with alternatives to filters, products and services that filter Internet content are not included. Those seeking information about specific Internet content filters are directed to other sources. The best book currently available on this topic is *A Practical Guide to Internet Filters* by Karen G. Schneider, 1997, Neal-Schuman Press.

This report concentrates on alternatives that restrict Internet content from coming into the library, for this is the issue that has engendered most of the controversy and debate. However, many librarians have found that the interactive aspect of Internet technology, especially e-mail and chatrooms going out of the library, cause as much, if not more of the problems with library Internet use. This aspect of computer use is touched on but is not the primary focus of this work. Additional research and publications in this area are needed.

### Caveat—No Magic Bullets

Unfortunately, despite the need for an effective alternative to filters in all types of libraries, as of this writing, there is not one. Librarians seeking that silver bullet will not find it in this book or in any book at this time. The recently released Congressionally mandated study of the issue, summarizing months of hearings, testimony, and research conducted by the COPA (Commission on Online Child Protection) Commission found “no technology or method will effectively protect children from harmful material” (COPA Commission, 2000). After exhaustively studying all the available technologies and methods, the Commission “did not conclude that any particular technology” met the requirements it was seeking in an effective filtering device (COPA Commission, 2000).

In 1997 Karen G. Schneider came to this same conclusion when she led librarians in a six-month project evaluating and testing Internet filters in real-life situations, The TIFAP Project—The Internet Filter Assessment Project. Her conclusion: “Stop looking for the perfect choice. All choices are flawed” (Schneider, 1997).

A Popular Electronics survey of filtering products found, “there isn’t a single one among them that we call perfect” (Angelopoulos, 1999). Lauren Weinstein, moderator of the Privacy Forum Digest, echoed this sentiment: “There are no easy answers” to the filtering debate, she says (Neumann and Weinstein, 1999).

Librarians should not despair at these conclusions because there are alternatives available for libraries to consider. Immediately following their statement that there is not “one technology or method,” COPA determined that “a combination of public education, consumer empowerment technologies and methods, increased enforcement of existing laws, and industry action are needed to address this concern” (COPA Commission, 2000).

Likewise, Schneider sees a range of options available for libraries. As she listened to librarians sharing stories about filtering options, she heard a variety of actions being taken, ranging “from placing privacy screens on computers, to developing a children’s program for Internet use, to limiting access on some computers, to system-wide use of filters.” Schneider says

To learn more about TIFAP, go to [www.bluehighways.com/tifap](http://www.bluehighways.com/tifap).

For more on COPA, visit [www.copacommission.org](http://www.copacommission.org).

because “libraries are like snowflakes, no two are alike,” so their “plan of attack” will each be different (Schneider, 1997).

This report is intended to help library directors, administrators and library officials investigate the options available and then develop their own plan of attack on Internet filters, whether the pressure for this action is coming from the public, the staff, or is the result of your own careful analysis and forethought. ALA suggests that, when dealing with filters, librarians should, “Be strategic. Be creative. Most of all be prepared.” (ALA, 2000, Toolkit).

### History and Status of Library Filtering Issue

Many credit (or blame) Dr. Laura Schlessinger (dubbed “America’s Mommy and the conscience of talk radio”) for bringing the library filtering issue to public attention. Many librarians will remember the spring of 1999 when she alleged that ALA promoted pornography “by advocating open access to hard-core smut” in libraries (“Dr. Laura Continues...”, 1999). Many individuals and groups heard Schlessinger’s call and began demanding filters for public library Internet computers through local protests, court challenges, and proposed legislation.

In the wake of Dr. Laura’s attention, there are too many attempts to force filters on libraries to list here. Among the most notorious of these actions were public protests in Holland and Hudsonville, Mich.; Greenville, S.C.; and Loudoun County, Va. In Livermore, Calif., one woman filed suit to have filters installed at the library, but a state court judge “dismissed the lawsuit as being without merit; the Constitution provides no grounds to force a library to filter” (Kathleen R. v. City of Livermore, VO0152664 (Alameda City Super. Ct., Jan. 14, 1999 as quoted in Peck, 2000).

One court has addressed the issue of library filters (Mainstream Loudoun v. Board of Trustees, 24 F. Supp. 2d 552) (E.D. Va. 1998 as quoted in Peck, 2000). In this case, the court struck down the library’s mandatory filtering policy as a violation of First Amendment rights.

On the state level five states (Arizona, Utah, Colorado, Minnesota, and Michigan) now require some form of filtering device or a policy restricting minors from accessing certain materials in public or school libraries. Among the materials these libraries must restrict are “obscene materials,” “sexually explicit matter that is harmful to minors,” or “illegal material” (Stone, D., personal communication, Dec. 28, 2000). Indiana requires that public libraries have a written Web access policy (Indiana Code Sec. 20-14-1-7). As of this writing, bills to require filters or other measures to address child pornography in public and school libraries have been proposed in California, Indiana, New York, West Virginia, and South Carolina (Rogers, Michael and Oder, Norman, March 1, 2000).

On the federal level, several attempts to limit Internet content in libraries or require filters have occurred. In a major overhaul of telecommunication law, Congress passed the Communications Decency Act (CDA) of 1996, which criminalized the online transmission of “patently offensive” material to a person under 18. A specially convened federal court struck down the Act and the U.S. Supreme Court subsequently agreed the act violated the First Amendment (ACLU v. Reno, 929 F. Supp 824, 883 (E.D. Pa., 1996) (Dalzell, J.), aff’d, 117 S.Ct. 2329 (1997)) as quoted in Peck, 2000).

In 1998 Congress passed the Child Online Protection Act (COPA) that attempted to bar commercial Internet expression that is “harmful to minors.” Federal and appellate courts issued injunctions to enjoin the government from enforcing COPA, though the Commission mandated by the Act was formed. Under the leadership of Commission Chairman Donald Telage, the COPA Commission studied the issue of Internet content filters and issued their excellent Final Report in October 2000.

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*As of this writing Congress just passed the McCain-Santorum-Istook-Pickering Internet filtering rider to an appropriations bill (H.R. 4577), which requires the use of filters on any school or library that receives a federal subsidy for their e-rate access. Legal challenges to the enforcement of this provision were announced by the American Civil Liberties Union (ACLU) shortly after the bill’s passage (“Federal Filter Legislation,” 2001). Additional challenges are expected.*

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## Web Sites and Sources of Information

One of the best, and the worst, aspects of the filtering controversy is the exhaustive amount of information available on the topic. For librarians who pride themselves on basing library management decisions on thorough research, the wealth of information is surely a blessing. As ALA’s Toolkit Tip Sheet puts it, “No other technology in history has provided us with so much information so easily” as the Internet does today (ALA Toolkit, 2000). And with so much Internet information about filtering, just about anything you need to know about a product or service is available online.

For those who do not have a specific product in mind, wading through all the information currently online, including vendor hype, emotional hyperbole, and vitriolic personal opinions on filtering, can be next to impossible. Especially with all the new filtering products coming to market—Mick O’Leary says they are “sprouting like mushrooms after a long rain” (O’Leary, 2000)—trying to sort out the best filter or alternative to filters can be challenging at best.

### **GetNetWise**

To bring order to the chaos of filtering information, Internet industry corporations and public interest organizations have joined forces to provide a public service Web site that offers information on filtering products, services, and issues. A project of the “Internet Education Foundation,” the GetNetWise site “is sponsored by a blue-chip roster of Internet companies including Microsoft, Disney and Yahoo” (O’Leary, 2000). The American Library Association and Center for Democratic Technology are part of the group’s advisory board.

The goal of GetNetWise, as stated on its site, is to bring Internet users “one click away from the resources they need to make informed decisions about their family’s use of the Internet.” Though primarily aimed at home and family Internet use, the site is useful for librarians seeking aggregated information on the dizzying array of filtering products available. Filtering tools and products can be searched in the “Tools for Families” section according to what the tool does, the type of technology in use (e-mail, chat rooms, newsgroups, and so on), or type of computer. At this writing, 133 tools are included in the database.

Available at  
[www.copacommission.org/  
report](http://www.copacommission.org/report).

[www.getnetwise.org](http://www.getnetwise.org)

This Web site is more than just a listing of products for sale. An "Online Safety Guide" provides information about privacy, risks, and tips for safe Internet surfing. A "Web Sites for Kids" section lists "whitelists" of approved educational sites for children. (See Content Managers.) "Reporting Trouble" provides information on what to do when illegal or harmful for children sites are located.

### **SafeKids.Com**

Like the GetNetWise site, SafeKids is an industry-supported Web site that offers parents tips, advice, and suggestions to make your family's online experience fun and productive. Among the resources this site provides is a "Directory of Parental Control and Software and Filtered Internet Service Producers" (SafeKids.com, 2000). Along with this database of filtering products, the site also provides information on kids Web sites and search engines, privacy information, and tips for adolescents called SafeTeens. America Online and Network Solutions are among this site's corporate sponsors.

The purpose of Web sites such as SafeKids and GetNetWise, that collect information regarding technologies and methods that can protect children was lauded by the COPA Commission (see below) as useful methods to employ to help make children's Internet use safe. The Commission claims that sites such as these "provide substantial benefits with little adverse impact on privacy, free speech, or costs" and that they "have a potential positive effect on law enforcement" (COPA Commission, 2000).

### **COPA (Commission on Online Child Protection)**

Final Report of the COPA Commission, Presented to Congress, Oct. 20, 2000, 95 pages, 956Kb.

Librarians seeking intelligent, balanced, articulate, and straightforward information on the methods currently available to "reduce access by minors to materials that is harmful to minors on the Internet" will find no better source of information than the COPA Commission Final Report of Oct. 20, 2000. The Commission producing this wealth of information was created by Congress in October 1998 as part of the Child Online Protection Act (COPA). (The Act was subsequently enjoined from enforcement by federal district and appellate courts on constitutional grounds.) Though the Act was not enforced, the Commission, made up of online industry representatives, technical experts, and government representatives, was appointed at the end of 1999 and began its work by holding a series of hearings and briefings.

Congress charged the Commission to "evaluate the accessibility, cost, and effectiveness of protective technologies and methods, as well as their possible effects on privacy and law enforcement" and report its evaluation and recommendations back to Congress.

Benefiting from the mathematical mind of the Commission Chair Donald Telage from VeriSign, Inc. (formerly Network Solutions), who has a Ph. D. in mathematics, the Final Report methodically evaluates all the existing technologies and methods currently used or proposed to restrict access to the Internet by children (Telage, D., personal communication, November 20, 2000). By assigning a numerical value to each method, based on such factors as effectiveness, accessibility, cost, privacy evasion, and First Amendment intrusion, the report lays out the advantages and disadvan-

[www.safekids.com](http://www.safekids.com)

[www.safeteens.com](http://www.safeteens.com)

Commission Final Report  
[www.copacommission.org/  
report](http://www.copacommission.org/report)

tages of the various proposed solutions to the filtering debate. The “scattergram” presentation of the information in an axis, with scores for effectiveness and accessibility on one scale and costs and adverse impacts on the other, visually demonstrates the virtues and vices of each method and technology.

Along with filtering and blocking of the Internet, assessments are provided for labeling systems, acceptable use policies, increased prosecution of illegal material, and many more methods and technologies.

The Commission Report was especially supportive of libraries’ public education efforts and adoption of acceptable use policies. (See those sections.) Librarians should consult the Commission recommendations for support of their efforts in these areas.

### ***ALA Libraries and the Internet Toolkit***

ALA has been in the forefront of the controversy concerning filtering in libraries, steadfastly defending the key principles of freedom of information and child protection within the library context. ALA has consistently urged all libraries “to implement policies that protect both children and public access to information and to take an active role in educating their communities” about the Internet (ALA Toolkit, 2000).

To help libraries accomplish these lofty goals, six of ALA’s offices and divisions have joined forces to produce the concise, practical 19-page document dubbed an “Internet Toolkit.” In this excellent resource librarians have at their disposal key messages, fast facts, and suggestions on how to handle touchy questions when dealing with the filtering issue in the press or on the local level. Sample policies and guidelines on creating an Internet use policy are included. Tips on creating Web sites for children and good ideas from other libraries are offered. A listing of other online resources for both librarians and parents round out this source of information.

### ***ALA Filters and Filtering***

ALA’s Office of Intellectual Freedom (OIF) has gathered on this Web site everything you want or need to know about the filtering controversy. Three major sections make up this resource on filtering:

1. Links to information on the First Amendment, intellectual freedom, and filtering
2. ALA policies and statements on filtering
3. Additional filtering information

Anyone looking for the legal basics of filtering, news about the issue, statements on the issue, or organizations involved in filtering should check here first.

### ***Practical Guide to Internet Filters by Karen G. Schneider (updated data)***

The seminal work on filtering products used by libraries is Karen G. Schneider’s *A Practical Guide to Internet Filters*. New York: Neal-Schuman Publishers, 1997, 164 pp., ISBN 1-55570-322-4. *Practical Guide* is just that: a guidebook to the different filtering methods and software tools used to filter Internet content. Based on information gleaned from a six-month product evaluation project (TIFAP – The Internet Filter Assessment Project), this source summarizes the performance of the most popular filters used in libraries.

[www.ala.org/Internettoolkit](http://www.ala.org/Internettoolkit)

[www.ala.org/alaorg/oif/filtersandfiltering.html](http://www.ala.org/alaorg/oif/filtersandfiltering.html)

[www.bluehighways.com/filters](http://www.bluehighways.com/filters)

Acknowledging that this information will need updating, in the book Schneider promises, "when information becomes available, I will provide updated data on each product or new feature." The Web site for these updates is provided above.

Due to space and time limitations, all the Web sites offering information could not be discussed at length. Other sources of information and Web sites that may be helpful are:

**ALA Public Library Association TechNote: Filtering**—[www.pla.org/filtering.html](http://www.pla.org/filtering.html)

**Center for Democracy and Technology**—[www.cdt.org](http://www.cdt.org)—works to "promote democratic values and constitutional liberties in the digital age"

**Child Safety on the Information Superhighway**—[www.safekids.com/child\\_safety.htm](http://www.safekids.com/child_safety.htm)

**Cyberangels**—[www.cyberangels.org/](http://www.cyberangels.org/) —Billing itself as "the largest online Internet safety organization since 1995," this site provides information on protecting children in Cyberspace

**Digital Freedom Network**—<http://dfn.org/> —Sponsors of the "Foil the Filters Contest"

**FamiliesConnect**—[www.ala.org/ICONN/](http://www.ala.org/ICONN/)

**Family Research Council**—[www.frc.org](http://www.frc.org) —Major supporters of filters, this Web site provides useful information on the topic of filters and their use

**Internet Freedom and Filters**—[www.csn.net/~jlarue/iff.html](http://www.csn.net/~jlarue/iff.html)

**KidsConnect**—[www.ala.org/ICONN/AskKC.html](http://www.ala.org/ICONN/AskKC.html)

**Librarian's Guide to Cyberspace for Parents & Kids**—[www.ala.org/parents/greatsites/guide.html](http://www.ala.org/parents/greatsites/guide.html)

**Libraries, Children & the Internet**—[www.ala.org/parents/](http://www.ala.org/parents/)

**Parents' Guide to the Information Superhighway**—[www.childrenpartnership.org/bbar/pbpg.html](http://www.childrenpartnership.org/bbar/pbpg.html)