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Welcome to Tuesday Topics, a monthly series covering topics with intellectual freedom implications for libraries of all types. Each message is prepared by a member of OLA's Intellectual Freedom Committee (IFC) or a guest writer. Questions can be directed to the author of the topic or to the IFC.

## **Library Displays and Intellectual Freedom**

One of the best ways that libraries can help serve our patrons and expose our communities to a wide variety of information and resources is through the use of library displays. As shared in an [ALA interpretation of the Library Bill of Rights](#), “Library displays increase awareness of programs, resources, and services...displays utilize library worker expertise for community interests, collections, services, facilities, and providing access to information and information resources. They introduce users and potential users to library resources and the library’s role as a facilitator of information access.”

Creating awareness of the library collection can create an exposure to new ideas, which can result in an increase in intellectual freedom discussions with library users, some of which may end in formal materials challenges. This Tuesday Topic addresses some of the most frequently asked questions when it comes to library displays and intellectual freedom. A reminder – none of the content within this publication is considered legal advice. Should you need legal advice on these matters, we recommend you contact a practicing attorney.

### **Intention Matters: What is the Purpose of the Display?**

As shared by [uslegal.com](#), the purpose and role of a traditional store display is to create special presentations of a store’s product for the purpose of enticing the public to buy. Basic principles should be applied such as awareness of customer demographics, layout and cleanliness of the display, access to materials, and selling to the correct audience.

As library staff create their displays, it is important to keep the intention of the display at the forefront of the decision-making process. Some examples of intention include goals such as to enhance the user experience, increase circulation of the collection, promote the library collection, raise awareness of library materials/services/programs, etc. The articulated goals will then guide the development of library guidelines for displays to achieve these goals. Examples of guidelines include placement of displays in the building or community, how long items will stay on display, and what types of materials make for an ideal display.

Intentionality also comes into play when taking materials off of display. For example, if the reason a title is removed from the display is due to the title not “selling” to the public and has stayed on the display longer than expected, it would fit your display goal of increasing circulation to replace that title with something else, or to possibly move that item to another display in the building for better demographic appeal.

However, if the intention of removing a title from display is to reduce access to that title, and it is being removed due to controversy of the title or concern over the contents of the material, this would be a concern over equal access to materials. As stated in [ALA Diverse Collections: An Interpretation of the Library Bill of Rights](#), access to diverse titles applies equally to deselecting or removing materials from display: “Refusing to select resources due to potential controversy is considered censorship, as is withdrawing resources for that reason.”

### **What about access to mature content for minors?**

According to [ORS 167.080 “Displaying obscene materials to minors,”](#) the law protects minors from the display of obscene materials. The law states:

A person commits the crime of displaying obscene materials to minors if, being the owner, operator, or manager of a business or acting in a managerial capacity, the person knowingly or recklessly **permits a minor who is not accompanied by the parent** of the minor to enter or remain on the premises, if in that part of the premises where the minor is so permitted to be, there is visibly displayed:

**(a)** Any picture, photograph, drawing, sculpture, or other visual representation or image of a person or portion of the human body that depicts nudity, sexual conduct, sexual excitement, or sadomasochistic abuse; **or**

**(b)** Any book, magazine, paperback, pamphlet, or other written or printed matter, however reproduced, that reveals a person or portion of the human body that depicts nudity, sexual conduct, sexual excitement, or sadomasochistic abuse [emphasis added].

Further, [ORS 167.060](#) defines “Displays publicly” to mean “the exposing, placing, posting, exhibiting, or in any fashion displaying in any location, whether public or private, an item in such a manner that it may be readily seen and its content or character distinguished by normal unaided vision viewing it from a public thoroughfare, depot or vehicle.”

Within a library setting, it is best practice to have in place a policy against unaccompanied minors for the purpose of complying with ORS 167.080, assuming mature content may be on

display in public spaces. It is also recommended to review the additional definitions available in ORS 167.060 for application to library displays.

## **How do display challenges infringe on access to materials and intellectual freedom?**

As provided by Freedom For All, [What You Need to Know: Book Display Challenges](#):

### **“Censorship**

By having an individual or group request the removal or restriction of certain books from a display, these individuals seek to control what others can access and read, limiting the free flow of ideas and information for all.

### **Suppression of Diverse Perspectives**

Book display challenges often arise from a disagreement with the ideas or themes presented in the books. By removing these books from display in our libraries, challengers aim to limit exposure to diverse perspectives and stifle the opportunity for individuals to engage with differing viewpoints and lived experiences.

### **Denial of Individual Choice**

Intellectual freedom includes the right of individuals to choose what they read and engage with. Book display challenges infringe upon this right by seeking to dictate what materials should be available, potentially depriving individuals of the opportunity to make their own decisions about what they find valuable or meaningful.

### **Access to Information**

Book display challenges jeopardize access to information by limiting the visibility and availability of diverse perspectives. When books are removed or hidden from public view due to censorship, individuals are denied the opportunity to engage with a wide range of ideas, hindering their ability to make informed decisions and impeding intellectual growth.”

## **Should my library have a display policy?**

The simple answer is yes. Policies about library displays help staff make consistent decisions and are helpful to point to when patrons are upset or have questions. These policies from Belgrade Community Library in Montana and Holbrook Public Library in Massachusetts have some excellent points to consider when evaluating or creating your library's policy.

Sample 1: [Belgrade Community Library](#)

Sample 2: [Holbrook Public Library](#)

## Scenarios: Displays and Intellectual Freedom Challenges

To help with understanding the intricacies of display challenges, here are three scenarios to work through.

Scenario 1: A patron comes to you concerned over a display in the lobby. The lobby display theme is self-help, and the book is titled *The Subtle Art of Not Giving a F\*ck*. This display is within the walking pattern to the kids section and is facing the kids collection. The patron would like the title moved to a display in the adult area, not on the walking path of kids to get to their area.

- Displays are a merchandising tool to “sell” a product, meaning libraries can set guidelines on how to best sell that product to the right audience.
- Per [uslegal.com](http://uslegal.com):
  - Merchandising displays are special presentations of a store’s product used to attract and entice to buy
  - Seek to promote product sales by coordinating marketing, advertising, and sales strategies
- Per the [ALA interpretation of the Library Bill of Rights](#) about programs and displays:
  - Library displays “introduce users and potential users to library resources”
  - Library displays increase awareness of programs, resources, and services
  - *Libraries can* set time place and manner restrictions appropriate to the purpose of the organization or service
  - *Libraries can* set library guidelines as to the purpose, collection, topic, and locations of displays
- Per ORS 167.080, the library should have in place a policy against unaccompanied minors.
- Therefore, if the library feels as though this title is not being merchandised to the correct audience (ex: adult book facing the kids collection), they can certainly try the book in another display in the library. However, if the reason for removing the title is due to concern over controversy of the title and its placement does fit the display goals and does not violate ORS 167.080, best practice would be to keep the title on display.

Scenario 2: A patron comes to you concerned over a display in the lobby. The display is a PRIDE display, and the patron is requesting to have the entire display removed because it does not fit their world view.

- A reminder – censorship includes making decisions that would *reduce* access to materials that were previously unrestricted.
- In this scenario, if the entire display were to be removed for concern over the entire display theme, this would be a judgment on the content and would be considered censorship.
- What’s the difference? In the first scenario, we would be moving the title to *improve* discovery of the material and to appropriately “sell” to the intended audience. In this scenario, we would be removing the display to *reduce* discovery of the material.

Scenario 3: A patron has raised a concern about the library's PRIDE display. They stated that the library is being political in their choice of display topic and are asking the library to 'balance the perspective' by also having a 'Christian romance' display alongside the PRIDE display.

What is your response?

- Per the [ALA interpretation of the Library Bill of Rights](#) regarding programs and displays, it is the library's best practice to have an approved display policy or guideline that explains the criteria staff use for choosing display and program topics.
- The policy should include a section regarding support for intellectual freedom and anti-discrimination statements.
- Criteria for displays should be objective and, in this instance, may include a condition that display materials are timely, support current events, and support the reading interests of the community.
- With these criteria in place, the library can easily point the patron to these standards and explain that PRIDE is a specific event in June that will be supported due to the currency of the event, interest in the community, and support of the library's mission to uphold anti-discrimination laws.
- For those reasons, the PRIDE display should remain.
- As stated by [ALA Interpretations of the Bill of Rights – Diverse Collections](#), "A well-balanced collection does not require a one-to-one equivalence for each viewpoint but should strive for equity in content and ideas that takes both structural inequalities and the availability of timely, accurate materials into account. A diverse collection should contain a variety of works chosen pursuant to the library's selection policy and subject to periodic review."
- Should there be enough interest in the community based on metrics such as circulation data and patron purchase suggestions, the request for a Christian romance display may be considered in the future.
- The library can also point the patron to the ALA Interpretation of the Library Bill of Rights for these additional resources: [Politics in American Libraries](#) and [Equity, Diversity, Inclusion](#).

## Conclusion

Displays can be challenging in understanding the impacts on intellectual freedom and access to materials. One of the best ways to understand how to manage displays and any potential conflicts is to return to why the library decided to create the display and to determine if the display is meeting the intended goals. As mentioned above, "book display challenges jeopardize access to information by limiting the visibility and availability of diverse perspectives." It is okay to move materials off display or to another display unit in the library if that move will help increase access to that title and fulfill the original goal. However, if the reason for removing materials from display is to reduce access and is a content-based decision to avoid controversy, the library may be at risk of infringing on the rights of their users.

## Additional Resources

<https://www.ala.org/advocacy/intfreedom/spaces>