

**St. Tammany Parish Library
Board of Control Special Meeting
June 27, 2023
St. Tammany Parish Council Chambers
21490 Koop Dr.,
Mandeville, LA 70471
10:00 A.M.**

MINUTES

The meeting was scheduled as a Rules and Regulations Committee meeting. Due to a quorum of the Library Board of Control, the meeting became a special board meeting.

The meeting was called to order by Rebecca (Becky) Taylor, President. Kelly LaRocca, Director, called the roll and declared that a quorum was present.

Present: Jake Airey, Bill McHugh, Anthony Parr, Becky Taylor
Absent: Carmen Butler, Mary Reneau, Ann Shaw

Emily Couvillon with the Civil Division of the District Attorney's Office was also present as legal counsel for the library.

B. Taylor explained the rules for public comment. A three-minute time limit is established for each member of the public wishing to speak (for or against) an item on the Agenda. This is a special board meeting with only one item on the agenda. Public comments were accepted by email (lboc@stpl.us) until 8:00 a.m. on the morning of the meeting.

1. New Business

A. Challenged Materials Process

Discussion:

K. LaRocca noted that this is a Rules and Regulations Committee meeting discussion and there will be no changes recommended to the Board for approval at this time. The Board was provided with a revised working document comprised of feedback received from the Board, the public, and the committee. The original policy was also provided for comparison. K. LaRocca read through the original policy and all of the suggested changes based on the previously

mentioned feedback. Library Administration and the Board discussed various changes to the policy, such as adding words for clarity, revising phrases, general sentence structure, and organization of paragraphs.

There was discussion about the suggestion of resources not being subject to a statement of concern (SOC) if they are only available digitally for download or stream and are categorized as adult material. B. McHugh and A. Parr agreed with the suggestion. J. Airey commented that the SOC should not be based on the placement of the item in the library if the item is only available online.

Regarding the suggestion that religious beliefs should not be a valid reason for a complaint, E. Couvillon advised that the suggestion is already covered in Section 407, paragraph A, and again in Section 409.

There was discussion about costs of processing a SOC. There were suggestions to limit the number of SOCs that could be submitted by one person within a certain timeframe. B. Taylor stated that the public has the right to submit a properly completed statement, but the objective is to eliminate the number of frivolous statements received. B. McHugh does not agree with restricting the number of statements someone can submit.

J. Airey suggested that an appeal to the Board should be an appeal of the library staff review committee recommendation. He stated that there are times when the committee recommends what the complainant is asking for, yet the challenged item automatically goes to the Board for final review. The complainant could appeal to the Board if they disagree with the committee's recommendation. E. Couvillon confirmed that was the rule until the policy was revised.

The next discussion was regarding how many statements should be submitted before a full review occurs. B. McHugh and B. Taylor stated they were not in favor of requiring multiple statements to be submitted before triggering a full review. The current process will remain in the policy.

K. LaRocca stated that the current policy states that only St. Tammany Parish residents can submit a SOC. There was a suggestion that only library card-holders can submit a SOC. It was decided that the requirement could be easily met by getting a library card. The card requirement will not be included in policy. There was discussion regarding organizations obtaining library cards. It was clarified that nursing homes and some child care centers are the

only organizational cards and there is a procedure for obtaining those cards. The committee agreed to consider the requirement that only an individual can submit a SOC.

There were suggestions regarding the SOC form, such as removing email submissions of SOCs, require in-person paper submissions to a manager or librarian, or make the form a printable PDF instead of a fillable form. B. McHugh agreed with the suggestion that it should be noted on the form or website that we encourage complainants to speak to a manager, librarian, or the Library Director about their concerns before engaging in the SOC process. The committee agreed to keep the form a fillable PDF on the website.

There was discussion about whether or not to make the resolution regarding the temporary disposition of challenged materials dated December 13, 2023, part of the policy. E. Couvillon stated that if the Board wants to continue with the resolution it should become part of the written policies and procedures for transparency purposes. If the Board does not want to continue with the resolution, the Board would have to vote to negate the resolution.

B. McHugh noted that he was not a board member at that time, but commented that the resolution was made during a time of uncertainty prior to the Board receiving legal advice regarding La R.S. 14:91.11. He stated that he learned from K. LaRocca that there was concern about the possibility that someone would ask for K. LaRocca or other staff members to be arrested. B. McHugh noted that the police were in fact called to the library on at least one occasion due to a criminal complaint. Outside legal counsel has since been retained and has provided straightforward analysis of the criminal statute and outlined the four specific criteria that must be met for an item to be in violation of the statute. The practice of moving the challenged books behind the desk has continued because the resolution had previously been adopted.

There was discussion about including two options in the draft. K. LaRocca asked E. Couvillon for clarification on whether or not there needs to be a new resolution negating the previous resolution. E. Couvillon advised that the point at issue would need to be a separate agenda item for the full Board to consider. K. LaRocca suggested that the committee wait for the item to be discussed and voted on by the Board, then the policy can be updated accordingly.

There were suggestions and discussion about pull cards or placeholder books in place of challenged materials on the shelves and each branch displaying a poster listing all of the challenged books. It was decided that this would become a procedure, not a policy.

There was discussion about referring the complainant to the Attorney General's office when an item does not meet the criteria in the obscenity statute, yet the statute is cited as the basis of the complaint. J. Airey stated that a book does not have to fall under the obscenity statute for the Board to exercise its discretion and place it in a restricted area. He spoke of the issues that could arise with copyright-holders, publishers, and authors if the Library Board says their book is obscene when the Attorney General has said it is not. J. Airey commented that if it has already been determined that the book does not violate the statute, then appeals should be based on a different reason. He spoke about weighing harmfulness vs. artistic value.

K. LaRocca clarified that the committee does not just evaluate the challenged materials based on the statute. The committee reviews and discusses all aspects of the material such as the appropriate location in the library collection. The committee may recommend moving an item to a different collection even if the item does not violate the statute. The committee decided not to include referring items to the Attorney General for review.

There was continued discussion about the appeals process vs. the challenge automatically going before the Board for review. K. LaRocca clarified that the reason the challenges automatically go before the Board now is because members of the public said that librarians were not making fair decisions regarding the challenged books. The decision process was then designated to the Library Board, which consists of community members who are appointed by the Parish Council and Parish President to represent the community.

J. Airey commented that there should be an additional step in dialog between the complainant and the library after the committee recommendation, but before the challenge goes before the Board. If the complainant agrees with the committee's recommendation, then the recommendation should stand. If the complainant disagrees with the recommendation, then it should go before the Board. K. LaRocca explained that when there was an appeals process, most of the complainants did not appeal the committee's recommendations, but instead spoke publicly about how the library did not do what they asked for.

It was suggested that fraudulent complaints should not be considered and SOC's should not be required to be notarized. The committee will work on writing and incorporating suggested ideas into the policy for future consideration.

Spoke about SOC's with incorrect titles, authors, and citations. It was suggested that a letter be sent to the complainants asking for clarification, which gives them an opportunity to fix the SOC. It was suggested that if a complainant challenges a title that the library does not own, a

letter should be sent to the complainant informing them that the library does not own a copy of the title. There was discussion about whether or not these points should be policy or procedure.

There was additional discussion about rejecting all SOC's in which the only complaint is that it violates R.S. 14:91.11. K. LaRocca commented that the committee does a full evaluation when reviewing challenged materials. J. Airey recommended the committee still review the item to determine if it is in the appropriate location, even if it does not violate the statute.

K. LaRocca spoke of the demographics of the staff review committees, which are formed to constitute a fair representation of individuals. There was discussion of whether or not to have members of the public serve on the review committees. J. Airey stated that he does not think we need another board to oversee the Library Board. He suggested having a member of the public participate in a review committee so that they are part of the initial process and it would show the public exactly how these reviews are done.

B. McHugh stated that the review process should be left to the professionals. B. Taylor agreed and stated that involving the public would complicate the process, rather than streamline it. J. Airey respectfully disagreed with relying on what the librarians recommend. He compared it to the Parish zoning staff, who are experts in development, giving reports to appointed members of the public to make complex, billion-dollar zoning decisions that affect everyone in the Parish. He agreed that the library staff are doing a great job on the committees. He agreed that the process should return to a committee recommended decision. If the complainant does not agree with the decision, then they can appeal to the Board.

Discussed the method of sending the decision letters to complainants, because sending certified letters has been unsuccessful up to this point. J. Airey recommended sending the letters in the same method that the SOC was sent. E. Couvillon suggested an addition to the SOC form asking how the complainant would like to be notified. Discussed possible time limits on requesting an appeal.

Discussed adding audience recommendations by the publisher, vendor, and reviewer to the book résumé. It was also recommended to note whether or not the material was patron-requested, if that information is available. Discussed the suggestion of requiring people to show identification to give public comment. E. Couvillon advised that under Louisiana's Open Meetings Law, we cannot require anyone to show identification before speaking during a public comment period regarding an item on the meeting agenda.

Discussed requiring a complainant to attend the Board meeting where the challenged material is being decided upon. K. LaRocca clarified that the policy states that the complainant will have five minutes for public comment to address their concern or the complainant can submit a written statement to the Board. It was agreed that the current policy is sufficient.

K. LaRocca reviewed the minutes from the board meeting on April 24, 2023, and confirmed that the decision on a SOC about specific materials, programs, or displays will remain in effect for five years. Within this five-year period, complainants submitting a new SOC on a decided title, program, or display shall receive a copy of the Board's current decision. The current version of this policy will be updated with that information. K. LaRocca noted that she has heard feedback that some are not happy with that length of time, so she reminded the Board that they can reconsider that as well. There was discussion about whether or not the five-year decision on SOCs will be in effect retroactively. K. LaRocca explained that there had only been a handful of decisions made prior to that policy being approved, therefore the five-year time period applies to almost all of the challenged titles.

The next Rules and Regulations Committee meeting was tentatively scheduled for mid-July. The date and time will be determined and will be posted on the website and each branch location.

Public Comment:

Camille Thompson – Spoke about the importance of public input in the process. Stated the Board needs to think about the kids and community standards. Stated the process should be as open as possible and not worry about what is legal or not. Stated there were things in Germany that were legal but terrible.

Fran Smith – Slidell, LA. Stated she is opposed to the books being in the library. Stated she does not like to read them and they make her sick. Stated that the people reviewing the books are all of the same mind. Spoke of the books *Flamer* and *It's Perfectly Normal*. Stated that the Board has no idea what they are doing. Spoke of promoting the books in displays, having an agenda, and called the books obscene and pornographic.

Jamie Segura – Covington, LA. Stated the library belongs to everyone. Proposed having strict criteria for book challenges. Spoke of the individual who has submitted the majority of the SOCs not attending LBOC meetings, but is photographed attending politically advantageous meetings. Stated the books should remain on the shelves while under review. Stated that staff and the LBOC do not deserve the attacks, name-calling, and harassment they have received.

Jonathan Varnado – Madisonville, LA. Spoke of treating books as second-class citizens and compared the books to people. Stated the challenged books are connected to gender, sexual identity, and race. He explained that a process like this is divisive to people because placing LGBTQ books behind the desk is equivalent to saying that people should be removed and put away. Spoke of having a Pride display last year, but not this year.

Joan Simon – Covington, LA. Stated the library has done a good job addressing concerns and commended the tiered card system. Spoke of the restriction of books. Read quote from the American Library Association's statement on this issue. Thanked the Board and staff for their hard work and dedication to St. Tammany Parish's excellent library system.

Johanna Miner – Spoke on behalf of the Accountability Project. Stated that the outcomes are predetermined and that library staff are purchasing agents, judge, and jury for book challenges. Asked why the library has a larger budget than the Coroner, District Attorney, and Sheriff's Office. Accused library administrators of conspiring to sexualize children. Spoke of creating reform and defeating the library's millage.

Iris Gallatin – Questioned whether or not the Parish needs to pay for a library system anymore. Stated that everyone is dependent on the internet and it is freely available. Stated that brick-and-mortar libraries are out and the internet is in. Asked for book titles and statements of concern to be published on the website 30 days in advance of the meeting and asked for one copy of each challenged book to be made available at the Covington and Slidell branches.

Roland Gallatin – Suggested an independent review committee with authority to overturn any decision by the Library Board of Control. Stated that if a board member violates the rules and regulations of the library, that member should be penalized, removed from the library board, or at least suspended from voting for a period of time. Asked for a provision that allows residents to challenge the development of the collection.

Donna Bonnoitt – Stated that the library receives twice as much money as the District Attorney's office. Stated that five-year limits on SOCs is ridiculous. Asked for transparency, stated the library staff are foot soldiers for the ALA (American Library Association), and stated the library has violated community standards. Stated the library is frivolously spending money on garbage. Stated that a restricted area can solve the whole issue.

Terri Lewis Stevens – Covington, LA. Stated she supports the library, free speech, and the ability for everyone to go to the library and read what they choose. Stated that no one is forcing

anyone, adults or children, to read anything. Stated that many of these books are taken out of context because the complainants have not read the entire work.

Rebecca Bohm – Mandeville, LA. Stated that the library should send their decision to the complainant by email or mail and it is the complainants' responsibility to respond. Stated the complainant could appeal the decision to the library board. Spoke of complainants copying and pasting the complaints from other websites. Stated that many of the challenged books are adult books in the adult section.

Sharon Hagstette – Stated she loves brick-and-mortar libraries. Stated that it is obscene that we are considering the censorship of books. Stated that she is responsible for what her children and grandchildren read. Stated that books are being challenged that enrich our literary experience. Stated that no one else should be able to choose what others read.

2. Adjournment

There being no further business, a motion to adjourn was made by J. Airey and seconded by B. McHugh. The motion carried.



Rebecca Taylor, Board President