

Policy Title: FREE SPEECH RIGHTS OF CITIZENS

Policy Statement:

The People's Rights:

The free speech clause of the U.S. Constitution gives people the right to say anything they want (short of shouting "Fire!" in a crowded theater) on public property, which is what all our library branches are. It also gives them the right to post notices if space has been made available for that purpose, and to solicit signatures on petitions.

However, a library is a limited public forum, and the people in charge of it are allowed to make rules for its use, provided those rules are reasonable and are equitably enforced.

Our rule is that nobody has the right to interfere with anybody else's right to use the library. This means they may not talk in a loud voice, they may not interrupt people in the use of library materials, they may not block access or further crowd an already-crowded space (such as a lobby), and they may not impinge on the staff's use of facilities (such as bulletin boards) to meet all the peoples' information needs.

The Library's Rights:

We have the right to control the time, place, and manner that citizens exercise their right of free speech, only to the extent that their exercise impedes the operations of the library (i.e. interferes with anybody else's right to use). What this means is that we can stop people from being disruptive, from blocking access, or from interrupting people using library materials or equipment. We can limit petitioning in crowded spaces. But we cannot prevent people from standing on the steps or a path leading to a library building talking to themselves or others, so long as they do not block access.

We first addressed this issue in 1985, when we said that petitioners could use our lobbies and set up card tables if they wished. Twenty years later, we are far busier and far more crowded. The City Attorney agrees that we may revise use rules to suit current conditions provided we meet the criteria of reasonableness and equality of enforcement.

Members of the public with questions about this policy should get in touch with the Director of Libraries.