

Should Libraries be Required to Install Filtering Programs on Internet-Ready Computers?

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The United States Supreme Court will be hearing arguments this term that will challenge the law requiring that libraries receiving federal technology funds be required to install Internet filters to stop children from viewing harmful or sexually explicit material. Charles S. Sims, a partner at Proskauer Rose LLP, represents the plaintiff in the Multnomah County Public Library (Oregon) case.

The suits, American Library Association Inc. v. United States, challenges the Children's Internet Protection Act (CHIPA) that states that public schools and libraries that receive federal technology funds must install internet filtering systems to prevent minors from accessing pornography, obscene or otherwise harmful information. The Act, signed into law by President Clinton in 2000, would deny funds to libraries that don't install this system.

AVAILABLE FOR INTERVIEW: Charles Sims.

Mr. Sims has litigated on defamation, copyright and First Amendment Law and was the lead attorney for the Motion Picture Association of America in the DVD Case and for the Recording Industry Association of America in the NAPSTER Case. He has litigated challenges to content-based federal restrictions of cable television programming and handled a First Amendment challenge to New York's Son of Sam law for Simon & Schuster, which the Supreme Court unanimously invalidated. Among the points that Sims raises:

- CHIPA is a violation of First Amendment rights by blocking adults from accessing information on the Internet.

- CHIPA would discriminate against libraries in poorer communities because without federal assistance, they wouldn't be able to purchase or maintain Internet-related technology. In a lot of cases in these communities, libraries are the only places that many people have Internet access.
- In weak economic times, government budget cuts hit libraries and cultural affairs the hardest. With dwindling library funding, how can these institutions be expected to afford the added expense for such filtering systems?
- This law could potentially force libraries to take such drastic steps as to forbid computer usage to those under 18, seek prior parental consent for use, or go as far as to pull the plug on computer users after school hours or on weekends.

Related Professionals

- **Charles S. Sims**