

06/29/2022

Library Director send email warning of potential lawsuits as a result of moving explicit books

But read 'the rest of the story' to know what ultimately happened (attached)

The Tyler Librarian should not lobby for the American Library Association *or send emails that appear to threaten board members with a lawsuit for requesting books to be moved* to the appropriate section of the library.

The Rest of the Story.....

The Tyler Public Library has **steadfastly refused** to remove sexually explicit books from the minors' sections of the library. In a June 29, 2022 email the Tyler Library Director attached an article about a lawsuit filed by seven Llano County library patrons - **whose main desire appears to be to place explicit material in the children's library section (much like the Tyler Library).**

In the attached email to the Library Board, the Library Director (Ashley Taylor) states **'It's certainly a good example of how not to handle things.'** The tone seems to insinuate that lawsuits could result if sexually explicit books were removed from the Tyler Public Library. It is rumored that those 'lawsuit fears' were parroted by Tyler elected officials and reinforced by their city attorney.

Lawsuits for removing explicit books from children's section? Seriously?
Well, we beg to differ because that lawsuit was WON
by the Llano County Library

On May 23, 2025, in a 10-7 decision the 5th Circuit Court of Appeals delivered a **brutal ruling against the seven plaintiffs.**

Below are some fun ACTUAL hilarious quotes from the ruling:

...Finally, we note with amusement (and some dismay) the unusually over-caffeinated arguments made in this case."

"Judging from the rhetoric in the briefs, one would think Llano County had planned to stage a book burning in front of the library."

Plaintiffs and amici warn of "book bans," "pyres of burned books," "totalitarian regimes," ...

One amicus intones: "Where they burn books, they will ultimately burn people."

"Take a deep breath, everyone, No one is banning (or burning) books."

If a disappointed patron can't find a book in the library, he can order it online, buy it from a bookstore, or borrow it from a friend.

1. Reversed the preliminary injunction
2. **Dismissed** the plaintiffs' Free Speech claims
3. Held that the now-disgraced plaintiffs cannot use the First Amendment to challenge a library's removal of books
4. **BEST OF ALL - THE PLAINTIFFS HAVE TO REIMBURSE LLANO COUNTY FOR LAWYER'S FEES AND COURT COSTS**

Sounds to me like this is a great example of how to handle things!



Texas Tribune Article

1 message

Ashley Taylor <ataylor@tylertexas.com>

Wed, Jun 29, 2022 at 12:24 PM

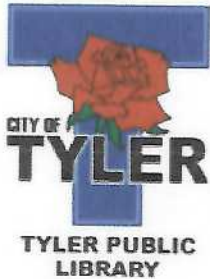
To: "bookwormlsu@gmail.com" <bookwormlsu@gmail.com>, FE McElvy <femcelvy@hotmail.com>, "glenda.malone@southside.com" <glenda.malone@southside.com>, "kmthompson2019@gmail.com" <kmthompson2019@gmail.com>, "nativetexandee@gmail.com" <nativetexandee@gmail.com>, Sheila Austin <sjaustin64@gmail.com>, "Tamaraebrooks@gmail.com" <Tamaraebrooks@gmail.com>
Cc: Library Admin <libraryadmin@tylertexas.com>

I ran across this article only recently and thought I would share. It's certainly a good example of how not to handle things. As a reminder, our next scheduled Board meeting is set to be the 4th Wednesday in August. My hope is that we can have a normal meeting and actually handle some needed business and share with you all what wonderful things are happening here at the Library.

https://www.texastribune.org/2022/04/25/texas-public-library-bookbans-lawsuit-llano/?utm_source=articleshare&utm_medium=social

Hope you all are having a wonderful Summer. We look forward to seeing you all in August.

Best,



Ashley Taylor

City Librarian / Library Director
City of Tyler

Tyler Public Library
201 S. College Ave.
Tyler, TX 75702
903-593-READ (7323)

ataylor@tylertexas.com | www.TylerLibrary.com

Residents sue Llano County officials, library director, board members to end book bans

A federal lawsuit claims Llano County public officials' efforts to remove library books are a coordinated censorship campaign.

BY BROOKE PARK

APRIL 25, 2022 11 AM CENTRAL

Seven Llano County residents filed a federal lawsuit Monday against the county judge, commissioners, library board members and library systems director for restricting and banning books from its three-branch public library system.

The lawsuit states that the county judge, commissioners and library director removed several books off shelves, suspended access to digital library books, replaced the Llano County library board with community members in favor of book bans, halted new library book orders and allowed the library board to close its meetings to the public in a coordinated campaign that violates the First Amendment and 14th Amendment.

The plaintiffs — Leila Green Little, Jeanne Puryear, K Day, Cynthia Waring and Diane Moster — insist their public officials censored books based on content and free avenue for community comment.

When the plaintiffs attempted to check out several removed books, they were denied access.

"Public libraries are not places of government indoctrination where the people in power can dictate what their citizens are permitted to read, think about and learn," the lawsuit states. "When government actors target public library books because they disagree with and intend to suppress the ideas contained within them, it jeopardizes the freedoms of everyone."

Plaintiffs' lawyer Ellen Leonida said she plans to file a preliminary injunction this week to get books back on shelves and access to the digital library distributor, OverDrive, reinstated while the lawsuit is pending. Leonida also wants the lawsuit to serve as a warning that small groups like the one in this case cannot control the availability of books without legal resistance.

"They can't censor books, unequivocally, based on viewpoints that they disagree with," Leonida said.

This is the article the librarian sent to the Board to drive home the point that just moving books could result in a lawsuit

According to the suit, the defendants worked together to remove several children's books that they found inappropriate from library shelves in early fall of last year. Then, after state Rep. Matt Krause, R-Fort Worth, notified the Texas Education Agency of a list of 850 books he found objectionable that were found in school libraries, some of the same titles were removed from the Llano libraries.

Books removed from the library include Maurice Sendak's "In the Night Kitchen," Susan Campbell Bartoletti's "They Called Themselves the K.K.K.: The Birth of an American Terrorist Group" and Jazz Jennings' "Being Jazz: My Life as a (Transgender) Teen."

In November, Bonnie Wallace, who eventually became the vice chair of the new Llano County library board, emailed Llano County Judge Ron Cunningham with a list of 60 books on Krause's list that were available in Llano libraries, according to emails referenced in the lawsuit and obtained by The Texas Tribune. Later that day, Cunningham directed library system director Amber Milum to remove "all books that depict any type of sexual activity or questionable nudity."

In addition to library books' removal, Cunningham told librarians to stop ordering new publications in November, according to the lawsuit.

Listed as the lawsuit's defendants were Cunningham; Llano County Commissioners Jerry Don Moss, Peter Jones, Mike Sandoval and Linda Raschke; Milum, the library director; and library board members Rochelle Wells, Rhonda Schneider, Gay Baskin and Wallace.

A call seeking comment from the Llano County attorney, county commissioners and the library director was not immediately returned.

The plaintiffs claim that the defendants' censorship efforts have nothing to do with protecting children from obscene material because several books that reference sex and nudity are still on the library system's shelves. Instead, they say, "Defendants' censorship campaign targeted books that conflicted with Defendants' political and religious views."

The library system's material selection policy, which outlines how librarians choose books, states the library cannot order pornographic titles. Even if books emphasize sex or contain profanity, libraries can still stock them if they are realistic or hold literary value, according to the lawsuit.



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D <nativetexandee@gmail.com>

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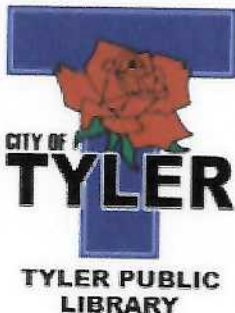
To: "bookwormlsu@gmail.com" <bookwormlsu@gmail.com>, FE McElvy <femcelvy@hotmail.com>, "glenda.malone@southside.com" <glenda.malone@southside.com>, "kmthompson2019@gmail.com" <kmthompson2019@gmail.com>, "nativetexandee@gmail.com" <nativetexandee@gmail.com>, Sheila Austin <sjaustin64@gmail.com>, "Tamaraebrooks@gmail.com" <Tamaraebrooks@gmail.com>
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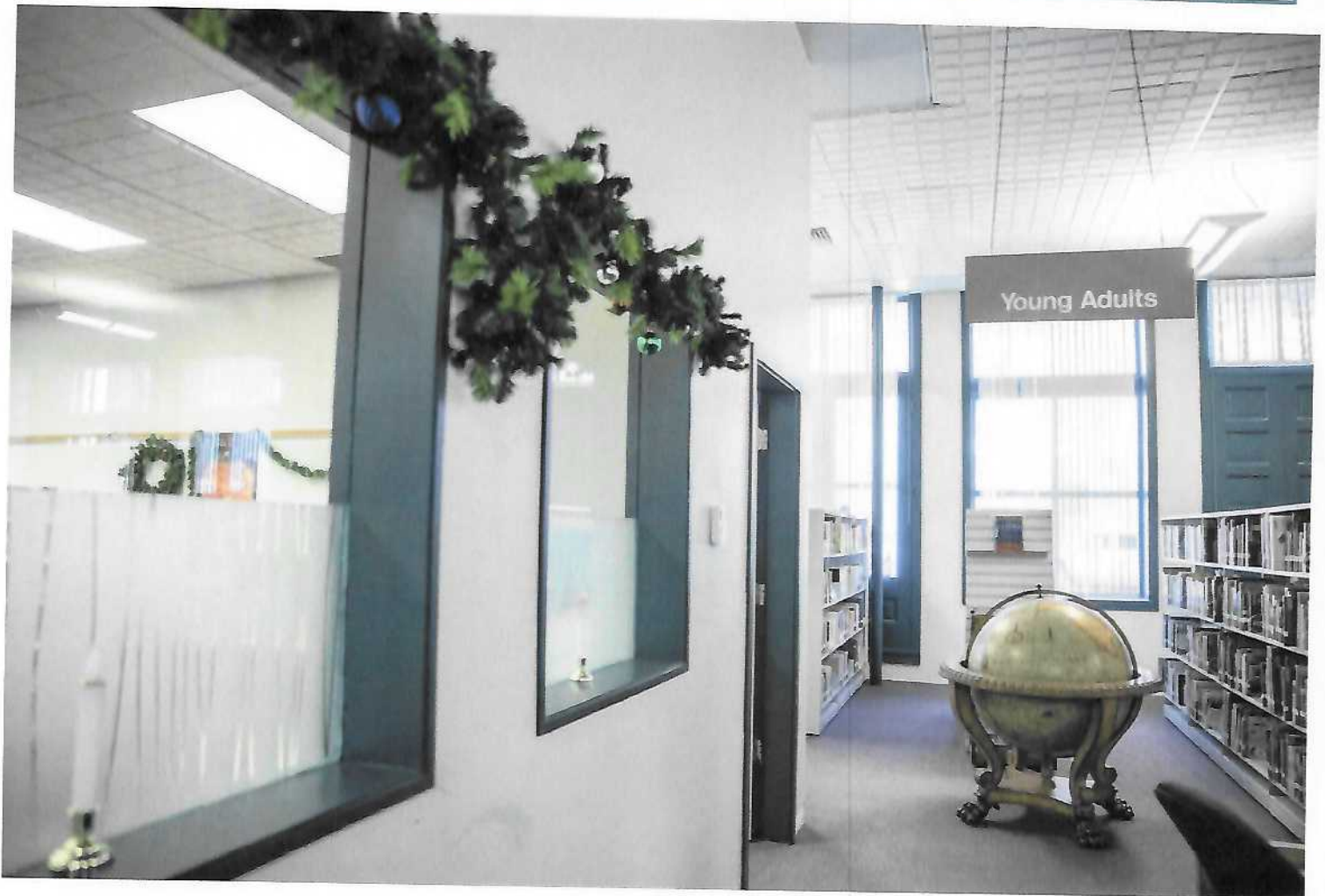
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BY **BROOKE PARK** APRIL 25, 2022 11 AM CENTRAL

COPY LINK



The plaintiffs in the lawsuit insist their constitutional rights were violated when public officials censored books based on content and failed to provide proper notice or an avenue for community comment. Sergio Flores for https://www.texastribune.org/2022/04/25/texas-public-library-bookbans-lawsuit-llano/?utm_source=articleshare&utm_medium=social



Let's talk politics, policy and more at TribFest.

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essential Texas news.

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Llano + librarian's
threatening
email

The push to ban books in Texas spreads to public libraries

Some Texas residents are asking for greater say in what titles appear in public libraries.

BY ALLYSON WALLER AND KEVIN REYNOLDS DECEMBER 1, 2020

The Llano County Library is temporarily closing so librarians can inventory and catalog their books after community pushback related to titles that some deemed offensive. Credit: Sergio Flores for The Texas Tribune

Sign up for The Brief, our daily newsletter that keeps readers up to speed on the most essential Texas news.

When the Llano County Library shuts down for three days this week, starting Tuesday, it won't be for the holidays.

Instead, a group of six librarians in this small Central Texas county will be conducting a "thorough review" of every children's book in the library, at the behest of the Llano County Commissioners Court. Their mission will be to make sure all of the reading material for younger readers includes subjects that are age-appropriate. A new "young adults plus" section will be added to separate books written for an older teen audience from those geared toward younger readers.

The three-day closure of the library system in Llano County, about 80 miles northwest of Austin, also means a temporary shutdown of its virtual portal through the online book provider [Overdrive](#).

"I think we owe it to all parents, regardless if it's a school library or a public library, to make sure that material is not inappropriate for children," Llano County Judge Ron Cunningham said.

The Llano County community's push to scrutinize the local library's book stacks comes two months after a Texas lawmaker [first questioned](#) the inclusion of more than 850 books about race, equality or sexuality in public school libraries.

And Llano County is not the only community in Texas asking harder questions.

The rise in public library book complaints

Local public libraries in Texas, including those in Victoria, Irving and Tyler, are fielding a flurry of book challenges from local residents. While book challenges are nothing new, there has been a growing number of complaints about books for libraries in recent months. And the fact that the numbers are rising after questions are being raised about school library content seems more than coincidental, according to the Texas Library Association.

"I think it definitely ramped it up," said Wendy Woodland, the TLA's director of advocacy and communication, of the late October investigation into school library reading materials launched by state Rep. [Matt Krause](#) in his role as chair of the House Committee on General Investigating.

In response to Krause's inquiry, Gov. [Greg Abbott](#) tapped the Texas Education Agency to investigate the availability of "pornographic books" in schools. In the weeks since, school districts across the state [have launched reviews](#) of their book collections, and [state officials have begun investigating](#) student access to inappropriate content.

As more residents began turning their sights on local libraries, the state library association set up a "peer counseling" helpline for librarians to get support from others more familiar with book challenges.

"A library may get one or two [book challenges] in two years, or some librarians have never had challenges," Woodland said. "So this is very rare and very unusual and different from the way challenges have been brought forth in the past."

In Victoria, about 100 miles southeast of San Antonio, Dayna Williams-Capone says the number of complaints about books is the most she's seen in her nearly 13 years working at the Victoria Public Library.

In August, Williams-Capone, the director of library services in Victoria, said her office received about 40 formal requests for review of books, primarily books for children and young adults that touch on topics of same-sex relationships, sexuality and race.

After Williams-Capone and her staff reviewed the requests, they decided to keep the books in the library. Residents who filed the complaints pushed forward, appealing the decision to the library's advisory board for about half of the books, Williams-Capone

Last Wednesday, the library's board voted [not to remove the books](#) from library shelves.

"I don't think there's a danger in asking the questions and having a civil conversation and learning from each other," Williams-Capone said. "I think that the danger is when we lose that big-picture view of who all is a part of our community, and that the needs of some members of our community might be very different than what we think our own personal needs are or our own family needs."

One Victoria resident who pushed for book removals was Cindy Herndon.

"It's nothing that I have against anybody in any community," said Herndon, 64. "I don't have any resentment or lack of respect for them. It's just about protecting the children and exposing them to things that they really don't need to see right now."

One of the books she wanted removed was "[The Black Flamingo](#)" by Dean Atta, a coming-of-age novel about a mixed-race gay teen who becomes a drag artist.

After reading the book, Herndon said she was opposed to it because to her it seemed to "sexualize children, especially into alternate lifestyles, and make them want to be someone else than who they were born to be."

Another Victoria resident, Amy Garvel, joined other residents, and the group combed through the library's online catalog. They compiled a list of more than 200 books they found inappropriate, ranging from picture books to young adult books, Garvel said. Garvel herself submitted two requests for removal for the books "[If I Was Your Girl](#)" by Meredith Russo and "[Rick](#)" by Alex Gino.

Garvel, who describes herself as a conservative and has a 9-year-old son and 13-year-old daughter, said she's been very careful about what content they consume.

"My goal is really to protect the children in our community in general, not just my own children," said Garvel, 43. "I'm hoping that [the library] sees that we're not trying to censor books that we're trying to protect our children. I mean, the library was one of the last places that we could feel safe."

How the process works and why it's getting blowback

Local public libraries are not regulated by the state. Instead, they are usually part of a county or city budget funded by local taxpayers.

Williams-Capone, the Victoria library services director, described how books are selected in the first place, and her library's process is typical for most. Staff members peruse lists of

bestsellers and literary award winners. They scan literary journals. Library staffers also consider how often visitors check out certain titles or subjects to determine future purchases.

 Rules for public libraries, including complaints about content, are determined at the local level.

When a resident challenges a book, “there’s a process in place,” to handle that complaint, said Woodland, the TLA spokesperson. That process is typically crafted in writing by local governments with input from library staff.

But in these latest challenges, there have been complaints from some local residents that the process may give library staff too much of an upper hand.

“*Jack of Hearts (and Other Parts)*” by L. C. Rosen, which follows a gay teenager who starts a teen sex advice column, has seen challenges in Irving and elsewhere.

At the urging of local residents, City Council members were meticulously briefed on how the Irving Public Library handles complaints against books kept in its libraries. After the book underwent a “request for consideration,” which included an initial staff review and an appeal, it was kept in circulation.

Irving Mayor Rick Stopfer said he read the book in full, and even though he didn’t particularly care for parts of the book, he understood the need for it.

“If you read the full book, it tells you that you can have a loving relationship with a person of your same gender,” Stopfer said during an Oct. 14 meeting. “Everybody’s not going to like everything. It’s not something that I enjoyed reading, but I understood what the purpose of it was, and what the outcome was supposed to be.”

In that same Irving City Council meeting, Flory Malloy, a self-described mother of seven with a doctorate in biblical studies, told council members she felt the library system and its appeal process seemed pointless because in the end, books that are challenged remain on the shelves.

“The process ended with a denied appeal to remove the book,” she told council members as she described one challenge that appeared to go nowhere. “It seems to be a point of pride for the Irving Public Library that they have never removed a book as the result of this process, so what’s the purpose of this time-consuming review process?”

In Tyler, city spokesperson, Julie Goodgame confirmed that library officials there have been informed about “concerns” regarding book content. But there’s been no specific complaint about a particular book, she said.

More changes for libraries?

Back in Llano County, Cunningham, the county judge, said the library system's three-day closure is the first of perhaps many changes for the library. He said the county plans to soon establish a library advisory board that will help establish policies on requests to reevaluate books in circulation.

Although parents and lawmakers have stressed they are attempting to protect children from inappropriate content, [authors of works that have been at the center of these disputes](#) see the fights as a way to stifle and censor diverse representation in literature.

And librarians see their role as offering reading material for a wider audience.

"These efforts to mute or censor diverse voices in books is part of the just overall extreme divisiveness in our country that was really just exacerbated by the pandemic, [and] the actions taken by Rep. Krause and others have added fuel to that," Woodland said.

She understands there will be those who may not like all of the books in a library. That's not the point of a public library, she said.

"No book is right for everyone, but one book can make a big difference in one person's life," she said. "That's what libraries are about — providing those windows and doors and mirrors to the community."