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PUBLIC STATEMENT OF THE DUNLAP PUBLIC LIBRARY DISTRICT BOARD OF TRUSTEES

EXECUTIVE SUMMARY:

The Dunlap Public Library is an open and safe place for all our patrons. We follow all applicable laws and take all necessary and advisable steps to ensure that. The issues raised during the regular 23 May 2022 meeting of the Dunlap Public Library Board of Trustees have been reviewed by the Trustees, and this statement is intended as a report of our findings.

- Our deliberations have been guided by state law, relevant court cases, and by our own written policies that are based upon those laws.
- Under Illinois law, public libraries are required to be accessible to all those living within the district, including those who are on the Illinois registry of sex offenders.
- Under Illinois law, public libraries are obligated to maintain the confidentiality of the personal information and records of individual patrons. Under the provisions of the Confidentiality of Records Policy of the Dunlap Public Library, patron information cannot be released to any person outside of the Dunlap Public Library, even to official law enforcement officers, without a court order.
- There were no pornographic or nude pictures printed.
- Contrary to numerous inaccurate and inflammatory public comments, no library employees have been terminated as a result of the 17 May 2022 event.
- The Board of Trustees has determined that the Library Director acted in accordance with existing Library Policies, as well as applicable Illinois Laws.

FULL STATEMENT:

The Dunlap Public Library is an open and safe place for all our patrons. We follow all applicable laws, and take all necessary and advisable steps to ensure that. Under Illinois law, specifically the Open Meetings Act, it can take time to investigate multiple facts, claims, and issues in order to formulate an accurate and proper public statement which represents the views of the Library Board, we believe this statement complies.

The issues raised during the regular 23 May 2022 meeting of the Dunlap Public Library Board of Trustees has been reviewed by the Trustees, and this statement is intended as a report of our findings. Our deliberations have been guided by state law, relevant court cases, and by our own written policies that are based upon those laws and which all of us – trustees, patrons, and staff – are expected to follow.

Under Illinois law, public libraries, supported by local taxpayers, are required to be accessible to all those living within the district. Individuals who follow Dunlap Public Library Patron Code of

Conduct – i.e, return items on time, and are not disruptive, etc. – and whose behavior is within legal limits cannot be barred from the library. This includes those who are on the Illinois registry of sex offenders who, contrary to inaccurate public comments, under current Illinois law are not prohibited from public library use. The statutes in respect to public libraries simply provide that local law enforcement is to notify libraries and school districts when a registered sex offender resides within their boundaries, and this law is less than a year old.

Under the provisions of the Illinois Sexual Offender Registration Act (730 ILCS 150/1), those convicted of certain sexual crimes, including but not limited to crimes against children or indulging in child pornography, must maintain an up-to date registry with the local sheriff's department for a period of ten years. A convicted child sex offender "...may not reside within 500 feet of a school, park or playground." Court cases subsequent to the Illinois Sexual Offender Registration Act have upheld the prohibition against child sex offenders loitering with 500 feet of a school, park or playground. Activity or presence in a public library is specifically not within the statutory definition of loitering (720 ILCS 5/11-9.4-1).

Courts have consistently ruled that sex offenders have the same right to use of public libraries as other citizens. These cases include a case found against an attempt of a Chicago library to bar a person on the Illinois sex offender registry from their services. In January 2012, the 10th U.S Circuit Court of Appeals found that "...the First Amendment includes a fundamental right to receive information...By prohibiting registered sex offenders from accessing public libraries the city's ban precludes those individuals from exercising this right in a particular governmental forum."

Also mandated by Illinois law (75 ILCS 70/1) is the obligation upon libraries to maintain the confidentiality of the personal information and records of individual patrons. Under the provisions of the Confidentiality of Records Policy of the Dunlap Public Library, patron information cannot be released to any person outside of the Dunlap Public Library, even to official law enforcement officers, without a court order. All the staff of the Dunlap Public Library are also required, as a condition of their employment, to be familiar with the Confidentiality of Records Policy, which is based on Illinois law (75 ILCS 70/1).

On Tuesday, 17 May 2022, the Dunlap Public Library staff experienced questionable patron behavior, and because of staff reaction there has been a great deal of confusion, misinformation, and misunderstanding since. Contrary to some public comment and rumor, the patron's printing of pictures included only what has accurately been described as four "head shots" of young girls on the internet, guessed to be from age as young as 7 to as old as 10, and a photo of a group of cyclists wearing cropped tops. There were no pornographic pictures and no nudity whatsoever in the printings. On 21 May, the library privileges of the patron who had performed this behavior were suspended for 60 days. The Board of Trustees thanks the Dunlap Public Library staff members working that night who recorded their observations of patron behavior, as well as alerting the Library Director to the questionable patron behavior.

Contrary to numerous inaccurate and inflammatory public comments and media coverage that asserted two library employees had been terminated or fired for protecting children from pedophiles in the library, no library employees have been terminated at all in this regard. Laws

and regulations pertaining to local government employment and employee privacy prohibit revealing much about public employment details, but correcting misrepresentations, misunderstandings, and inaccurate assertions in local media, public comment, and on social media require us to say that no employees were suspended for reporting to the Library about these events. The only suspension of one employee was in regards to a violation of adopted Library Board policies - specifically sharing confidential patron information with a non-library employee, who then shared that information on the Internet. Adhering to Library policies and procedures is something the Board of Trustees expects from every library patron and library staff member.

Dunlap Public Library staff will continue to cooperate and coordinate with the Sheriff's Department to the fullest extent of the law, so that the Library can continue to be a safe place for all our patrons including our children.

The Board of Trustees of the Dunlap Public Library is not happy with the inaccurate, unfair, and untrue attacks upon the character of its Director circulating through the Internet. Having reviewed and discussed the details of the chain of events up to and including the Meeting of the Board of Trustees on 23 May 2022, the Board of Trustees has determined that the Library Director followed the existing Library Policies, as well as all applicable Illinois Laws. The Board of Trustees of the Dunlap Public Library does not expect the Library Director to be on call every hour of every day. The Library is staffed in such a way, with an established Chain of Command, that our Director is not expected to be accessible 24/7 to deal with all situations.

In addition to her exemplary behavior in dealing with this incident, the Board of Trustees also appreciates the many donations the Library Director has made her time, talents, and expertise numerous times, without any additional compensation, to add to the Programming offered to all ages at the Dunlap Public Library.

The Board of Trustees firmly believes that the Dunlap Public Library operates a safe place for its patrons and their children. The Board of Trustees has also heard, and appreciated receiving, the many practical and useful ideas that have been offered about how that safety can be even further enhanced. The Dunlap Public Library encourages all parents and caregivers to review our Safe Child Policy and Patron Conduct Policy, and assist the staff in making sure all patrons who enter the Library are safe, and are behaving appropriately. We are studying the creation and use of one of the first Registered Sex Offender Policies for a public library in central Illinois. The Library Director is conferring with other public libraries in and around Peoria County to discuss their existing policies and procedures regarding Registered Sex Offenders.

The Dunlap Public Library Director has investigated and installed software that would flag pornographic and other disturbing Internet websites, while not inhibiting the free flow of information. The Board of Trustees and the Library Director have discussed ways to ensure staff training about the legal requirements and dealing with difficult situations, and training in alertness to their surroundings, in order to improve ongoing surveillance of the library.

The Library Director has evaluated and reconfigured the patron computers in the Library to maximize safety and the monitoring capability of patron activity in the Library. The number,

placement, and operation of the security cameras in the Library have been reviewed and will continue to be considered in order to enhance the safety of patrons and library employees and optimize their use.

We wish to thank those of you who have brought your concerns to us so that together we could deal with them rationally and deliberatively. This has not been an easy process for us, but we do believe that in the end it has been productive. The safety of all patrons including our children and our employees is a preeminent priority of the Library Board and Director and we will continue providing such a place.