



LIBRARY COMMISSION RECOMMENDATION 20181022-5a: Rules for Petitioning / Signature Gathering at Library Branches

Date: October 22, 2018

Subject: Rules for petitioning / signature gathering at Library branches

Motioned By: Vice Chair Hanna

Seconded By: Commission Member Bogucka

Recommendation

Note: This is a corrected version of Recommendation 20180827-4a. Change the current Library Use Rules (dated 2/1/17) related to petitioning for initiative or referendum on library grounds.

Description of Recommendation to Council

Current Library Use Rules prohibit the distribution of literature or soliciting signatures for a petition and other First Amendment activity on library grounds. These rules should be changed to allow petitioning, distributing information, non-disruptive picketing, and other First Amendment activities with minimal restrictions to avoid disruption of the use of the library by library patrons.

Rationale:

Public libraries play an important role in preserving the fundamental human right of freedom of expression. Part of the vision of the Austin Public Library is a commitment to provide easy access to books and information for all ages in a safe and friendly environment. We believe that citizens sharing information with their fellow citizens, including petitioning, distributing information, non-disruptive picketing, and other First Amendment activities, should be allowed as part of that commitment. At the same time, we believe the commitment to provide a safe and friendly environment should be preserved. For this reason, we recommend that the Library Use Rules be amended to allow petitioning, distributing information, non-disruptive picketing, and other First Amendment activities on library grounds (though not inside the library) subject to minimal restrictions to avoid disruption.

Petitioning, distributing information, non-disruptive picketing, and other First Amendment activities can and should be conducted peacefully. People who want to engage in First Amendment activities should be able to do so on library grounds. Library patrons need unobstructed entry to library buildings. Library staff should not have the task of policing these activities.

The most elegant and ethical solution is for Austin Public Library to have the fewest possible rules regarding these First Amendment activities, and to operate in the belief that the vast majority of individuals engaging in these activities will neither obstruct nor offend library users, both because 1) people are decent and 2) doing so would injure the causes they espouse.

For this reason, the Austin Library Commission recommends that the Austin City Council change the current rule in place regarding petitioning on Library grounds to allow petitioning, distributing information, non-disruptive picketing, and other First Amendment activities subject only to minimal restrictions to avoid disruption.

Vote Unanimous on a 5-0 vote

For: Chair Williams; Vice Chair Hanna; and Commission Members Bogucka, Finney, and Pardo-Kaplan

Against:

Abstain: Commission Members Todd and Fisher

Absent: Commission Members Dabbert and Self

Attest:

