



WEBSTER PUBLIC LIBRARY

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Children Accessing Materials at the Library

The Webster Public Library has set the following policy, in accordance with House Bill 1197, an Act to require the publication of measures taken to restrict the access of obscene materials by minors.

Purpose:

South Dakota Codified Law 22-24-56 mandates the Webster Public Library:

1. Equip each public access computer with software that will limit minors' ability to gain access to obscene matter or material, as defined by state law, or purchase internet connectivity from an internet service provider that provides filter services to limit access to obscene material; and
2. Develop and implement a local policy that establishes measures to restrict minors from accessing obscene matter or materials. The policy must be published on the City of Webster's official website or annually in the official newspaper.

Definition:

South Dakota Codified Law 22-24-27 provides the following definitions relevant to this policy:

1. "Obscene material" is material, the dominant theme of which, taken as a whole, appeals to the prurient interest; is patently offensive because it affronts contemporary community standards relating to the description or representation of sado-masochistic abuse or sexual conduct; and lacks serious literary, artistic, political, or scientific value. The statute also provides the following definitions for phrases used in defining obscene material:
2. "Prurient interest" is a shameful or morbid interest in nudity, sex, or excretion, which goes substantially beyond customary limits of candor in description or representation of such matters. If it appears from the character of the material or the circumstances of its dissemination that the subject matter is designed for a specially susceptible audience or clearly defined deviant sexual group, the appeal of the subject matter shall be judged with reference to such audience or group;
3. "Sado-masochistic abuse" is flagellation or torture by or upon a person who is nude or clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound, or otherwise physically restrained on the part of one who is nude or so clothed;
4. "Sexual conduct" is any act of masturbation, homosexuality, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or if such person be a female, the breast.

Policy:

- In accordance with meeting the requirements of HB1197, the Webster Public Library does not collect obscene materials.
- Children under 18 may get a library card if a parent or responsible caregiver accepts responsibility for the child's use of the card. There is no minimum age. A parent or responsible caregiver is required to complete and sign a registration form to obtain a library card for a minor they are responsible for.
- To obtain a library card, children must be accompanied by a parent or by a responsible caregiver.
- Library staff are not responsible for the supervision of children in the library. Parents or adult caregivers must assume responsibility for their children's access to use of library resources. Parents and adult caregivers are expected to monitor and supervise children's use of the library's resources in selecting material that is consistent with personal and family values. This includes use of the internet. Parents are cautioned that the library and its available resources may contain materials that some find controversial.
- In compliance with the federal Children's Internet Protection Act (CIPA), Webster Public Library utilizes a browsing software designed to block access on public computers accessed by minors to images deemed (a) obscene; (b) child pornography; or (c) harmful to minors as defined by Codified Law 22-24-27.
- Webster Public Library does not independently monitor and has no control over the information published by third parties that is accessed through the internet and cannot be held responsible for any such content accessed on the internet.
- Webster Public Library supports the right of all members of the community to have free and equal access to the entire range of library resources, regardless of content, approach, format, or amount of detail. Webster Public Library upholds and affirms the right of each individual to have access to constitutionally protected materials and also affirms the right and responsibility of parents to determine and monitor their children's use of library materials and resources.
- The Webster Public Library takes every precaution to have adult themed materials only in the adult section of the library.

Reviewed/Approved by the Webster Public Library Board of Trustees

Oct 23, 2024

Harriet Spencel Pres

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