Chapter IV

Access to Information and the Freedom to Access: The Intersection of Public Libraries and the USA PATRIOT Act

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Abstract

This chapter discusses two studies performed by the Library Research Center at the University of Illinois concerning the impact the terrorist attacks and the USA PATRIOT Act has had on the librarians and the patrons they serve. Results are compared with findings from a Pew Internet and American Life survey to analyze differences between library directors and the public at large. Together, these studies illustrate the chilling effect’s impact on libraries and their patrons, as well as question the fundamental freedom to read all ideas. Libraries in the North Atlantic region of the United States were far more likely to report changes in staff attitudes, collection development, and security and policy changes that were influenced by September
11 and the passage of the USA Patriot Act as compared to the rest of the country. This tendency could be reflective of many issues, but the libraries’ proximity to the terrorist attacks does seem to stand out. In addition to region, library size was also prognostic. The two surveys presented in this chapter clearly highlight the regional effects of the attacks over time and point to additional avenues of investigation. Continued research on library changes in response to the USA PATRIOT Act and terrorism needs to continue in order to understand better how American information habits are being both protected and compromised in today’s public libraries.

Introduction

The foundation of public libraries is a belief that an informed citizenry is critical to a democracy, and that being informed means having the opportunity to consider all points of view. Librarians have long believed that freedom of inquiry is only guaranteed if people can be assured that the subject of their inquiry is kept private. In the United States, 48 states have laws guaranteeing the confidentiality of library records. When the USA PATRIOT Act was passed in October 2001, librarians immediately began to consider the implications of its provisions on public library service and on their users. Under the act, law enforcement agencies in the course of an investigation can scrutinize business records, and library records are just one type of business records that fall under its jurisdiction.

This chapter discusses two studies performed by the Library Research Center concerning the impact of the terrorist attacks and the USA PATRIOT Act on librarians and the patrons they serve. Together, these studies illustrate the chilling effect’s impact on libraries and their patrons, as well as question the fundamental freedom to read all ideas. Originally conducted in late 2001 and 1 year later, results of these studies have not until this time been fully analyzed, although the findings have received public attention, including the investigator being called “scurrilous” by an FBI spokesperson (Kronholz, 2003). Until now, they have only been summarized in brief on the Library Research Center Web site.

As background to the analysis, we review provisions of the USA PATRIOT Act of particular concern and relevance to libraries, as well as focus on the research that has been conducted on libraries subsequent to the events of September 11, 2001.
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