



BOISE PUBLIC LIBRARY

MAYOR: Lauren McLean | DIRECTOR: Jessica Dorr

MEMO

TO: Rebecca Lemmons, Board President
FROM: Jessica Dorr, Library Director
CC: Boise Public Library Board of Trustees
DATE: 11/7/2024
RE: Request to Withdraw a Request for Reconsideration – *Gender Queer: A Memoir*

Overview

On October 8, 2024, Library Staff received a Request for Reconsideration and Written Notice for *Gender Queer: A Memoir* by Maia Kobabe (the "Notice") requesting the Library "remove the book from the library where children do not have access to[.]"

Following the Library's receipt of the Notice, the requestor contacted the Library on October 15, 2024, to confirm the Notice had been received and was being reviewed. The Library confirmed the Notice was received and posted the Notice to its website on October 15, 2024. The Library received a public comment in opposition to the Notice on October 24, 2024, and posted the public comment to its website on October 30, 2024.

On October 24, 2024, the requestor contacted the Library asking for their personal information to be redacted from the Notice. On October 24, 2024, I responded informing the requestor that Library policy states the Library will only apply redactions to personal information required by Idaho law, and the requested redactions are not required by Idaho law.

On October 27, 2024, the requestor emailed the Library asking their request be withdrawn but also reiterating their desire for the book to be removed from the Bown Crossing branch. On October 28, 2024, I responded informing the requestor that removing the book only from the Bown Crossing branch is not feasible and due to the potential cause of action created by the Library's receipt of the Notice, and to comply with Library policy, I could not withdraw their request but I would refer their request to withdraw to the Board for its consideration.

Analysis

Neither the "Children's School and Library Protection Act" nor Library policy discuss a request for withdrawal. The law creates a cause of action for the requestor 60 days

MAIN LIBRARY
 715 S. Capitol Blvd., Boise, Idaho 83702
 P: 208-972-8200 | TTY: 800-377-3529

LIBRARY! AT
 BOWN CROSSING
 P: 208-972-8360

LIBRARY! AT
 COLE & USTICK
 P: 208-972-8300

LIBRARY! AT
 COLLISTER
 P: 208-972-8320

LIBRARY! AT
 HILLCREST
 P: 208-972-8340

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after the Board receives a notice if the Board does not move the material to an adult access only section.

The form is clear about the effect of submitting a notice stating in multiple places it will become a public record and posted to the library's website. This is to ensure the Board and community have as much information as possible about the request to remove access to Library materials and in keeping with our commitment to transparency and conducting "public business in the public eye." While the person who submitted the request shared concerns about having their personal information available and ultimately expressed a strong desire for their request to be withdrawn, the requestor has also continued to express a desire for their request to be granted by removing access to the book at Bown Crossing.

In the interest of respect for a library user's ultimate request—which would not unlawfully restrict access to materials for others if granted—I recommend the Board grant the request to withdraw the Notice and direct Library administration to close the public case file on the Library's website.

Recommendation

I recommend the Board 1) grant the request to withdraw the Notice and 2) direct Library administration to remove the case file and all related documents from the Library's website and denote on the website that the Notice was withdrawn at the request of the complainant and by approval of the Board.

If the Board does not wish to grant the request for withdrawal, the Library will publish a recommendation memo from me to the board for *Gender Queer: A Memoir*. We will also schedule a special meeting for the board to discuss the request for reconsideration within the 60 days the board has to respond to the request submitted on October 8, 2024.

