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September 16, 2024

VIA EMAIL

The Honorable Gavin Newsom
Governor, State of California
1021 O Street, Suite 9000
Sacramento, CA 95814

Re: AB 1825 (Muratsuchi) — request for signature

Dear Governor Newsom:

We write on behalf of the First Amendment Coalition, a California nonprofit public interest organization dedicated to advancing free speech, a free press, and government transparency, to request your signature on AB 1825, the “California Freedom to Read Act,” because it will help guard against censorship in our public libraries.

AB 1825 requires covered public libraries, such as city and county library systems, to adopt and make public written policies on collection development to guide the selection of library materials. The bill requires libraries to establish a process for community members to share their concerns regarding materials and request materials be reconsidered for inclusion in the library’s collection. It prohibits library governing boards or other relevant bodies from proscribing the circulation or procurement of, or access to, materials because of the topic addressed by the materials or because of the views, ideas, or opinions contained in materials. It prohibits acquisition or exclusion decisions being made solely on the bases of specified protected characteristics of a subject of the library materials, an author of the materials, the sources of the library materials, or the perceived or intended audience for the library materials. Additionally, it prohibits a governing board from creating policies or procedures that limit or restrict access to materials “unless the policies or procedures are adopted to preserve the safety or security of the library materials, are time, place, and manner restrictions not based on the content of materials, or are programs that provide for the effective management of the library and its resources to preserve access for all library users.”

Libraries play a special role in the public’s civic education and the free exchange of diverse ideas and information. And librarians are the heart of our libraries. We believe the provisions of AB 1825 will help ensure librarians’ professional judgment is not overridden by any group on the basis of hostility toward certain types of content.

As recent events in California have shown, AB 1825 is needed. The Huntington Beach City Council passed a resolution that we warned¹ amounts to an unconstitutional censorship regime. It prohibits any city library from allowing access to “any content of a sexual nature” for anyone

¹ [Letter from the First Amendment Coalition, American Civil Liberties Union Foundation of Southern California and Freedom to Read Foundation, to Huntington Beach City Council, Oct. 17, 2023.](#)

under 18 years of age without consent of a parent or guardian, regardless of “whether the books or materials are intended for children or adults.” That could apply to countless works, including the *Bible*, *Romeo and Juliet*, *The Great Gatsby*, *1984*, *Beloved*, *I Know Why the Caged Bird Sings*, and *Introduction to Plant Reproduction*, to name only a few examples of commonly read books. The resolution, which passed despite robust community pushback, subjects the future acquisition of any “children’s books and other materials” containing unspecified “sexual references” or “sexual content” to the arbitrary veto of a “review board” appointed by city council members and guided by nothing more than undefined “community standards of acceptance.” That review board could also require libraries to restrict access to any “book or material currently in circulation” which “does not meet community standards.” The Fresno Board of Supervisors passed a similar resolution, which we also opposed on First Amendment grounds,² to establish a “library committee” to determine which books do not comport with “community standards.”

As AB 1825 affirms an individual’s right to view and read a diverse collection of library materials, we believe it merits your signature.

Thank you for your consideration.

FIRST AMENDMENT COALITION



Ginny LaRoe
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FIRST AMENDMENT COALITION



David Loy
Legal Director

cc: Assemblymember Al Muratsuchi
Nichole Murillo

² [Letter from the First Amendment Coalition, American Civil Liberties Union Foundation of Northern California, PEN America, and the Freedom to Read Foundation to Fresno County Board of Supervisors, Nov. 6, 2023.](#)