

1ST AMENDMENT RIGHTS IN THE COURTS

CENSORSHIP

CENSORED

PICO VS. ISLAND TREES



1982

Occurs when individuals or groups try to prevent others from saying, printing or depicting words and images.

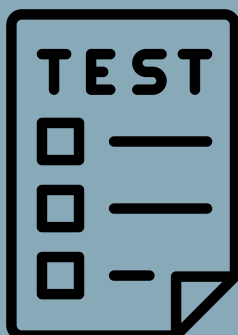
1ST AMENDMENT



For the 1st and only time, the S.C addressed the removal of books from public school libraries. If the purpose of removing books is purely to eliminate diversity of ideas for nationalistic, political, or religious reasons, then the action is impermissible.

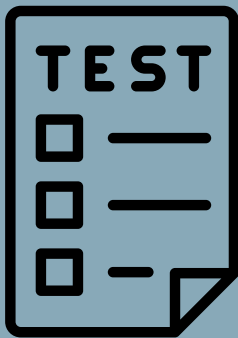
Protects our right to speak freely without limits or Gov interference. A State cannot limit the speech of residents. Does not apply to private employers.

MILLER TEST



A Supreme Court standard established in 1973 by Chief Justice Burger to determine what could be considered obscene

MILLER TEST

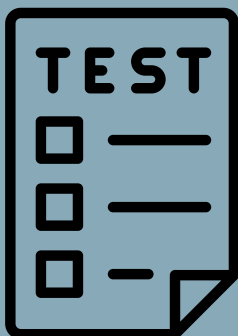


READER ACT/ HB900



Part of a 3-part test for obscenity that states the work must be taken as a whole and community standards must be applied to determine if the work appeals to prurient (sexual) interests

MILLER TEST



Would require book vendors to assign labels (sexually explicit or sexually relevant) to all books sold to school libraries and to all books they have previously sold to school libraries.

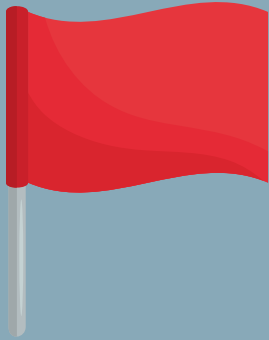
Part of a 3-part test for obscenity that states a work taken as a whole lacks serious literary, artistic, political or scientific value.

READER ACT/ HB900



Found to be in violation of the 1st Amendment Freedom of Speech due to forced speech of vendors.

CHALLENGE



An attempt to remove or restrict materials or services based on content.

RESTRICTION



STOP

BOOK BAN



Removal of materials or cancellation of services based on content.

Requires parental permission to access content previously made available.



QUIET OR SOFT CENSORSHIP



Not purchasing controversial books for fear of a negative reaction from supervisors/parents even if the book meets district/library criteria.