



Request for Relocation of Material

Board approved: 06/17/2024

Instructions:

- Use one form per item.
- Fields marked with * require that an answer be provided.
- Submit completed Request for Relocation of Material forms by any of the following means. Only one means of submission is required.
 - Physical mail to:
Community Library Network
ATTN: Collection Development – Material Challenge
8385 N Government Way
Hayden Lake, ID 83835
 - E-mail to: materialchallenge@communitylibrary.net
 - In-person, the completed Request for Relocation of Materials can be given to a Library staff member at any service desk at all Community Library Network locations.

*Title: _____

*Author: _____

Publisher: _____ Copyright Date: _____

*Did a minor obtain material harmful to minors as defined in Idaho Code section 18-1514 (6) and 18-1517B (2) (see below)? Yes ___ No ___

*If yes, was the material obtained from the Community Library Network? Yes ___ No ___

*Are you the minor who obtained the material? Yes ___ No ___

*Are you the parent/guardian of the minor who obtained the material? Yes ___ No ___

*Are you requesting the material be relocated to an adult-access-only section?

Yes_____ No_____

Have you read the CLN Materials Selection and Acquisition Policy? Yes_____ No_____

Have you read the CLN Materials Withdrawal and Reconsideration Policy? Yes_____ No_____

*What objections do you have to the material? Please include page numbers, chapters or sections.

*What are your reasons for finding the material offensive and indicate whether or not you feel the material is objectionable for all readers/listeners/viewers or a particular age group. Please indicate your objections as completely and specifically as possible.

*Signature: _____ *Date: _____

*Name: _____ *Phone: _____

*Address: _____

*Email address: _____

The completed form will be given to the Library Director who will review the form for evaluation and recommendations. If additional action is warranted, the Request for Relocation of Material form will be submitted to the Board of Trustees for final action. The patron will be notified of the outcome.

Form received by (staff member): _____ Date: _____

Idaho Code § 18-1514 Obscene Materials – Definitions

The following definitions are applicable to this act:

1. "Minor" means any person less than eighteen (18) years of age.
2. "Nudity" means the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering, or the showing of the female breast with less than a full opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state.
3. "Sexual conduct" means 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.
4. "Sexual excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal.
5. "Sado-masochistic abuse" means 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.

6. "Harmful to minors" includes in its meaning the quality of any material or of any performance or of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse, when it:

a. Appeals to the prurient interest of minors as judged by the average person, applying contemporary community standards; and

b. Depicts or describes representations or descriptions of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse which are patently offensive to prevailing standards in the adult community with respect to what is suitable material for minors and includes, but is not limited to, patently offensive representations or descriptions of:

i. Intimate sexual acts, normal or perverted, actual or simulated; or

ii. Masturbation, excretory functions or lewd exhibition of the genitals or genital area. Nothing herein contained is intended to include or proscribe any matter which, when considered as a whole, and in context in which it is used, possesses serious literary, artistic, political or scientific value for minors.

7. "Material" means anything tangible which is harmful to minors, whether derived through the medium of reading, observation or sound.

8. "Performance" means any play, motion picture, dance or other exhibition performed before an audience.

9. "Promote" means to manufacture, issue, sell, give, provide, deliver, publish, distribute, circulate, disseminate, present, exhibit or advertise, or to offer or agree to do the same.

10. "Knowingly" means having general knowledge of, or reason to know, or a belief or reasonable ground for belief that warrants further inspection or inquiry.

11. "School" means any public or private school providing instruction for students in kindergarten through grade 12.

Idaho Code § 18-1517B (2) Prohibited Materials

(a) Any picture, photograph, drawing, sculpture, motion picture film, or similar visual representation or image of a person or portion of the human body that depicts nudity, sexual conduct, or sado-masochistic abuse and that is harmful to minors;

(b) Any book, pamphlet, magazine, printed matter however reproduced, or sound recording that contains any matter pursuant to paragraph (a) of this subsection or explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct, or sado-masochistic abuse and that, taken as a whole, is harmful to minors; or

(c) Any other material harmful to minors.