

## **Policy Restricting Minors From Accessing Obscene Matter Or Materials**

*Effective 01.01.2025*

South Dakota Codified Law § 22-24-56 requires each public library in the state to:

- (1) Equip each public access computer with software that will limit minors' ability to gain access to obscene matter or material, as defined by SDCL § 22-24-27, or purchase internet connectivity from an internet service provider that provides filter services to limit access to obscene material; and
- (2) Develop and implement, by January 1, 2025, a local policy that establishes measures to restrict minors from accessing obscene matter or materials. The public library shall:
  - (a) Publish the policy on the official website of the political subdivision that maintains the library; or
  - (b) Publish the policy annually in a legal newspaper designated by the governing body of the political subdivision that maintains the library pursuant to SDCL § 7-18-3 or 9-12-6.

South Dakota Codified Law § 22-24-27(11) defines obscene materials as:

- (11) "Obscene material," material:
  - (a) The dominant theme of which, taken as a whole, appeals to the prurient interest;
  - (b) Which is patently offensive because it affronts contemporary community standards relating to the description or representation of sado-masochistic abuse or sexual conduct; and
  - (c) Lacks serious literary, artistic, political, or scientific value.

In compliance with South Dakota law, the library does not collect materials found to violate SDCL § 22-24-27(11).

In compliance with the Children's Internet Protection Act, the library utilizes a technology protection measure that blocks access to images deemed (a) obscene; (b) child pornography; or (c) harmful to minors (for computers that are accessed by minors). YCL does not monitor and has no control over the information published by third parties that is accessed through the Internet and cannot be held responsible for any such content accessed on the Internet.

Library staff are not responsible for the supervision of children in the library. Children under the age of eight (8) must be accompanied by a parent, guardian, or supervising caregiver at least 14 years of age. Parents, guardians, and supervising caregivers must assume responsibility for their children's access to and use of library resources. Parents, guardians, and supervising caregivers are expected to monitor and supervise children's use of the library's resources, including the Internet, in selecting material that is consistent with personal and family values. Parents and guardians are cautioned that the library and its available resources may contain materials that some find controversial.

*Adopted 12.10.24*

YCL supports the right of all members of the community to have free and equal access to the entire range of library resources, regardless of content, approach, format, or amount of detail. YCL upholds and affirms the right of each individual to have access to constitutionally protected materials and also affirms the right and responsibility of parents to determine and monitor their children's use of library materials and resources.

For more information on library resources, how they are selected, withdrawal, replacement, donations, intellectual freedom, and reconsideration please refer to our Collection Development Policy.

More information on library card registration and usage is available in our Library Card Policy and Circulation Policy.

Additional information regarding unattended children in the library and minor's use of our computers and the Internet can be located in our Unattended Child and Computer and Internet Use Policy.