



Preserving Access While Regulating Conduct in Public Libraries

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Libraries perform a unique and important function in American society. According to the U.S. Supreme Court, “a public library [is] a place dedicated to quiet, to knowledge and to beauty.”¹ Public libraries give people of all ages and backgrounds access to a vast array of topics and literature and ways to learn about current events, explore the internet, perform schoolwork and become better connected with their communities. The public, therefore, has a right to enter and use public libraries under the First Amendment.

At times, however, open library access leads to difficult dilemmas — for example, situations involving patrons who bring in excessive amounts of personal belongings and use the library as a temporary shelter. In such circumstances, other library patrons may complain that this interferes with their right to use and enjoy the library. Preserving the public’s right to use the library for its intended purposes can present difficult legal challenges under the First Amendment and Due Process Clause.

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