



False Witness

Morality in Media and EBSCO

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Thou shalt not bear false witness against thy neighbour.
Exodus 20:16, King James Version

In June of 2017, the Office for Intellectual Freedom got its first ever intellectual freedom challenge to a library database. The case was in Colorado and involved the Cherry Creek School District. According to a parent in the district, EBSCO, a periodical database, was promoting obscene and pornographic content to middle school students. At this writing, the campaign has spread to almost a dozen other states from the southeast to the northwest. Some schools immediately, and without much analysis, shut down access to EBSCO. Others have followed their policies and procedures and retained it, despite persistent attempts at political pressure.

Most librarians are familiar with EBSCO. We have used it for decades in our schools, public libraries, and universities. It replaced the old paper indexes, and enabled the swift retrieval not just of citations, but the content of mainstream magazines. By providing access to magazines whose reputations are far more credible than anonymous sources on the internet, EBSCO has greatly aided the ease and quality of research.

I have never talked to a librarian who thought EBSCO was an intentional gateway to internet pornography. This surprising claim has done something no librarian had thought to do: make EBSCO (or any other electronic library resource) sound salacious. (But I doubt that any middle or high school student would buy it.)

This essay will examine the organization orchestrating challenges against library databases, the history and agenda of that organization, its claims, the data contradicting those claims, and conclude with recommendations for librarians.

Morality in Media

The complainants challenging EBSCO cite and use language from an organization called the National Coalition on Sexual Exploitation (NCOSE). But the group may be more familiar by its first name: Morality in Media. Founded in 1962, Morality in Media, which then described itself as a “faith based organization,” led various campaigns against the sin of dirty words (one of its members filed a



complaint with the Federal Communications Commission about George Carlin's famous "7 words" radio show (Sanburn 2012); the sale of *Playboy* magazine on military bases (Green 2013); and pushed for the vigorous enforcement of anti-obscenity laws (Steigerwald 2012).

In 2015, Morality In Media, Inc. changed its name to National Center on Sexual Exploitation "to better describe our scope and mission to expose the seamless connection between all forms of sexual exploitation" (NCOSE 2018a). Another explanation might be that Morality in Media was often dismissed by mainstream media for its overt religious bias. Subsequently, it attempted to recast its image as more research and policy-based.

But its concern for "decency" and opposition to sexual imagery continued. For instance, in February of 2015, it tried to pressure stores to remove a *Sports Illustrated* swimsuit issue. "It's blatant pornography," said spokeswoman Dawn Hawkins (Bumpas 2015). Retailers, such as Walgreen's and Barnes and Noble, mostly ignored the complaints.

Dirty Dozen List

One of the NCOSE's key public awareness strategies is the production, beginning in 2013, of a "Dirty Dozen" list, an annual selection of twelve mainstream corporations intended "to name and shame the bad corporate actors in America that perpetuate sexual exploitation—whether that be through pornography, prostitution, and sex trafficking" (NCOSE 2018b). NCOSE claims a "seamless connection"—remember; George Carlin, *Playboy*, and *Sports Illustrated* are deemed one with child sex rings.

On their site (endsexualexploitation.org), they state, "The term 'pornography' is a generic, not a legal term"; "The term 'obscenity' is a legal term" (NCOSE 2018c). But in practice, they persistently conflate the two. The only definition of pornography they point to comes from the 1969 unabridged *Webster's Third New International Dictionary*: "1: a description of prostitutes or prostitution 2. a depiction (as in a writing or painting) of licentiousness or lewdness: a portrayal of erotic behavior designed to cause sexual excitement." That's a pretty broad description, embracing not just internet imagery, but novels and art.

The 2017 and 2018 Dirty Dozen lists include EBSCO. The problem, as NCOSE sees it, is that EBSCO's "Explora, Science Reference Center, Literary Reference Center, and other products, provide easy access to hardcore pornography sites and extremely graphic sexual content. Innocent searches provide pornographic results. Via a system that bypasses school Internet filters, EBSCO brings the dark world of XXX to America's elementary, middle,

and high school children" (NCOSE 2018d). The American Library Association is on the list, too. According to NCOSE, "The ALA zealously encourages public libraries to not install internet filters on public-access computers, thereby granting patrons—including children—the opportunity to view sexually obscene or explicit material. This has turned the once safe community setting of the public library into a XXX space that fosters child sexual abuse, sexual assault, exhibitionism, stalking, and lewd behavior in libraries across the country" (NCOSE 2018e). This intended-to-be-shocking list of porn-pushing human traffickers also includes Amazon, Amnesty International, Comcast, *Cosmopolitan*, and social media destinations Snapchat, Twitter, and YouTube.

NCOSE Claims and Policy Recommendations

In general NCOSE makes some suggestive and overbroad claims. Here are two examples.

"Evidence supports the fact that child sexual abuse, prostitution, pornography, sex trafficking, sexual violence, etc., are not isolated phenomena occurring in a vacuum. Rather, these and other forms of sexual abuse and exploitation overlap and reinforce one another. For example, we know that child sexual abuse often predates an individual's entry into prostitution, and that sexting makes adolescents vulnerable to revenge porn or sexual extortion. We also know that pornography is often made of sex trafficked women and children, and increases the demand for buying sex. Further, females who consume pornography are at greater risk of being a victim of sexual harassment or sexual assault. The list of connections goes on and on" (NCOSE 2017a).

A second example, from the same set of policy recommendations, is the citation of a 2015 meta-analysis by Wright, Tokunaga, and Kraus, whose abstract states, "22 studies from 7 different countries were analyzed. Consumption was associated with sexual aggression in the United States and internationally, among males and females, and in cross-sectional and longitudinal studies. Associations were stronger for verbal than physical sexual aggression, although both were significant. The general pattern of results suggested that violent content may be an exacerbating factor."

The common denominator of these studies is the fundamental confusion between correlation ("The list of connections goes on and on") and causation. Some sex criminals may use pornography; but looking at pornography does not make everyone a sex criminal.



On the basis of these studies and others like them, NCOSE advances a sweeping policy agenda. Some samples (2017b):

- “The government can curb the demand for prostitution, sex trafficking, child sex abuse, and sexual violence by demanding the Attorney General enforce these existing federal laws, which prohibit distribution of hardcore pornography on the internet, on cable/satellite TV, on hotel/motel TV, in retail shops, and by common carrier.” (“Pornography” includes what, exactly?)
- “Institute routine audit and removal of pornography found on military computers, storage drives, work areas, and officer’s clubs, across *all* branches of the US military.”
- Outlaw strip clubs for all military personnel.
- “Direct the US Surgeon General and the US Department of Health and Human Services to fund research into the public health harms of pornography, and launch comprehensive efforts to abate these problems.”

In short, on the basis of studies that do not prove what they suggest, NCOSE seeks increased governmental censorship, and research to prove things they have already decided to be true.

Counter-evidence

In 1995, 14 percent of Americans used the internet. By 2010, the that number had risen to 79 percent, according to the Pew Research Center (Fox and Rainie 2014). And yet during the same time period, “the rate of completed rape or sexual assault declined from 3.6 per 1,000 females to 1.1 per 1,000,” according the US Department of Justice’s National Crime Victimization Survey, 1994–2010 (Planty et al., 2013). Few would dispute that there is a lot of pornography, here meaning “sexual imagery” on the internet. How much? Estimates vary between 3 and 30 percent, according to a *Psychology Today* overview of statistics about porn searches on the internet. That overview quotes two computational neuroscientists, Ogi Ogas and Sai Gaddam, who estimate that porn accounts for around 10 percent of internet content (Castleman 2016). Yet somehow that historic change, when NCOSE and other conservatives fear an exponential increase of access to sexual content, occurs at a time when sexual violence against women has dropped by almost two-thirds. Similarly, American teen pregnancy has seen historic declines, from 83.6 teen pregnancies per 1,000 in 1995 (Kauffman et al. 1998), to 57 per 1,000 in 2010 (Kost and Henshaw 2014).

Again, correlation is not causation. But if pornography is so bad, if we are in a “public health crisis” of epidemic

proportions, why has sexual misbehavior declined? How credible is NCOSE?

In “The Sunny Side of Smut,” Melinda Wenner Moyer writes, “Contrary to what many people believe, recent research shows that moderate pornography consumption does not make users more aggressive, promote sexism or harm relationships. If anything, some researchers suggest, exposure to pornography might make some people less likely to commit sexual crimes.” Moyer continues,

The most common concern about pornography is that it indirectly hurts women by encouraging sexism, raising sexual expectations and thereby harming relationships. Some people worry that it might even incite violence against women. The data, however, do not support these claims. “There’s absolutely no evidence that pornography does anything negative,” says Milton Diamond, director of the Pacific Center for Sex and Society at the University of Hawaii at Manoa. “It’s a moral issue, not a factual issue.”

“Rates of rapes and sexual assault in the US are at their lowest levels since the 1960s,” says Christopher J. Ferguson, a professor of psychology and criminal justice at Texas A&M International University. The same goes for other countries: as access to pornography grew in once restrictive Japan, China and Denmark in the past 40 years, rape statistics plummeted. Within the US, the states with the least internet access between 1980 and 2000—and therefore the least access to internet pornography—experienced a 53 percent increase in rape incidence, whereas the states with the most access experienced a 27 percent drop in the number of reported rapes, according to a paper published in 2006 by Anthony D’Amato, a law professor at Northwestern University.

It is important to note that these associations are just that—associations. They do not prove that pornography is the cause of the observed crime reductions. Nevertheless, the trends “just don’t fit with the theory that rape and sexual assault are in part influenced by pornography,” Ferguson explains. “At this point I think we can say the evidence just isn’t there, and it is time to retire this belief.” (Moyer 2011)

The EBSCO Attack

But NCOSE has mounted a campaign, often through social media (particularly Facebook), occasionally through appearances at school board meetings and letters to the editor, to grab media attention. While most of the challenges have focused on schools, some have also been directed at public libraries. What does NCOSE claim about EBSCO? In response to a 2017 *Intellectual Freedom Blog* post by



Fredric Murray, “Responding to Database Challenges,” one NCOSE supporter wrote,

Much of the obscene content is actually not from 3rd party sites, but is streaming directly into EBSCO search platforms and, as such, is protected as proprietary. Furthermore, adult material tends to stream to the top of even benign searches. Innocent searches beginning on terms such as diabetes, respiration, celebrity, fashion, and other similar innocuous terms rapidly link to age-inappropriate material. . . . while it is true that schools should be blocking obscene 3rd party sites, it is also true that the articles containing such links are obscene and pornographic in and of themselves. Moreover, third party blocking is only effective on school property, and easily bypassed once kids are off site to do their homework.

EBSCO has admitted that the obscene and pornographic content being complained of is, indeed, in their products. It is not restricted or filtered in any manner, either for content or by state.

There is no defense of EBSCO’s callous and greedy exploitation of our nation’s children. . . . Schools and libraries, nationwide, should be cancelling their EBSCO subscriptions until EBSCO can guarantee that all the offending material has been removed from all databases being provided to minor children. (Patterson 2017)

All of these claims, like NCOSE’s claims about pornography generally, are false. The content hosted by EBSCO—consisting almost entirely of mainstream periodicals—is *not* obscene. Obscenity, remember, is a legal term. No obscenity charges have ever been brought against EBSCO, nor are they likely to be. In my own experience, “benign searches” lead to benign and relevant content. EBSCO has certainly not admitted to hosting obscene content. It does have various configurations of data sources for different audiences, but it does not exercise editorial control over the content from those sources. Nor is the provision of indexed mainstream periodicals “callous and greedy.” If libraries were to cancel their subscriptions until EBSCO can guarantee that no sexual content will ever be offered by magazines again (an absurd aim in itself), students then will have what access to magazine information? Google? Even when NCOSE has been successful in pressuring schools to suspend access, they surely have left students with alternatives that are *more likely* to lead to sexual content.

EBSCO Rebuttal

I spoke with Kathleen McEvoy, an EBSCO representative, after the first challenge. I asked if I could review the

top 100 search terms used by students across the country. I agreed to keep the exact terms confidential. Search terms are valuable business intelligence. But here is my finding: students use EBSCO precisely as one would hope—for research. In other words, they were searching for scientific topics in the news: climate change and global warming; they were looking up such social issues as abortion, gun control, and cyberbullying. They searched for the changing laws about gay marriages. They were not looking for sites featuring gay sex. There were no pornographic terms in the top 100.

The bottom line: the people most likely to be searching for sexual content in EBSCO are not students. They are adults, poring obsessively through search terms students do not use to ends students do not seek from that source.

In response to the Dirty Dozen attack, EBSCO issued several statements. They wrote, “EBSCO Information Services (EBSCO) has been working with libraries for more than 70 years. EBSCO is consistently named to both the *Information Week* Top 500, as a top U.S. technology innovator, and the *EContent* 100, as a top company in the digital content industry.” Many of their customers understand the great contribution of the vendor. Among their testimonials is this one from Amy Marquez, librarian, Marcia R. Garza Elementary School: “Instead of having to search Google and sift through so many search results, students find a manageable number of reliable resources through Explora.” Dorian Myers, director of libraries and archives, The Kinkaid School, said, “Google made it so easy for kids to find stuff online. . . . When I went to school, the problem was finding any information. Now the problem our kids face is too much information, too many sources.” Myers also explained that information found on the internet is not always trustworthy (McEvoy 2017).

Further, EBSCO declared,

EBSCO has a long history of supporting libraries and increasing access to information as an aggregator of content. We take the need to provide age-appropriate content seriously and appreciate the families and groups that have brought these issues to light relative to EBSCO, ProQuest and Cengage content available in school libraries. In no way is EBSCO deliberately including materials that would be considered inappropriate, and we are increasing the level of scrutiny around how content is selected for databases and specifically those designed for use in K-12 schools.

EBSCO databases are often purchased at the state level and provided to a wide range of institutions that serve many age groups. The intent is for each institution to provide



access to the appropriate databases. While EBSCO provides guidance as to which databases are appropriate for K-12 use, it is possible that a given school or district may expose the full suite of resources, unintentionally providing access to resources that may not be considered completely age-appropriate. In these cases, we are working with customers to switch to age-appropriate versions of databases as recommended. We are also allowing sites to leverage the tools that have been in place for decades to remove publications at their discretion so that they can access the value of the various resources, but with the comfort of knowing that the content is appropriate for each institution and its users.

We are working closely with our customers (schools and school districts) to evaluate these concerns and develop approaches where each school has a more granular level of control over content availability. We will introduce ways for each institution to make specific determinations about content not only at the publication level, but at an individual article level. The determination of what is appropriate and what is not appropriate may not be readily agreed upon across the groups of customers that we serve. As such, EBSCO wants to ensure that we do our due diligence initially, but also provide the tools that allow flexibility for customers to make additional decisions around content availability on their own.

Additionally, we have undertaken changes creating algorithms to identify and eliminate clearly objectionable articles and we are working with our content management team to create ways to deactivate links that are embedded in articles that link to inappropriate external content. We are working with our customers to better educate students and their families about internet safety and information literacy. Reloads that will remove inappropriate content have been fast tracked and we have created editorial policies to address content selection. (EBSCO 2017)

Businesses, like libraries, tend to respond to criticism. But not all criticism is justified. EBSCO acknowledges that some articles may be age-inappropriate or objectionable. That's not an admission of obscenity. Rather, it indicates that human beings write about sex. Even in schools, young minds have questions about that topic; the answers are neither illegal nor obscene. Supreme Court Justice Thurgood Marshall said, "The level of discourse reaching a mailbox simply cannot be limited to that which would be suitable for a sandbox" (*Bolger v. Youngs Drug Products Corp.*). That is, while we may have preferences about what we want our children to have access to, not all parental preferences are the same, and what we prefer for children cannot be imposed on adults.

Responding to the Challenges

What should librarians do if their libraries receive a challenge to the use of EBSCO? If the challenge comes over the internet, on Facebook, through email, from someone who does not reside in your district, the professional obligation may extend no farther than this: "thank you for your comments."

OIF provided the following suggestions to another Colorado library dealing with a challenge to EBSCO. Consider them as talking points.

- Our library complies with the law. We use an "electronic protection measure," a filter, as required by Colorado Statute. That statute parallels the language in the United States Children's Internet Protection Act (CIPA). Legally, the library is required (either in order to receive certain federal funding, or as a consequence of state statute) to attempt to block only *visual imagery* that is obscene, child pornography, or harmful to minors. Of course, filters are imperfect; they both overblock (prevent access to content that does not fall into these categories), and underblock (fail to block illegal content). But the law requires only that we use them, not that they work as advertised.
- EBSCO is a longtime, well-respected aggregator of mostly mainstream, consumer magazine content. That content, like the content of magazines in a grocery store, will sometimes include human sexuality. In the post-internet world, there will inevitably be links to more explicit sites beyond the indexed magazines. But access to sexual content is neither the purpose nor the focus of EBSCO.
- Public libraries don't have to—nor should they—restrict all content, digital or physical, to what's fit for children. They serve all the public. Most libraries specifically do not limit access to materials by age. The purpose is not to push adult content on people too young for it. Rather, people tend to gravitate to information appropriate to their age. Libraries have children's rooms, but they allow children to check out books from the whole collection when they demonstrate interest in those resources.
- The goals of NCOSE are not those of the library. Over the past few months, NCOSE has adopted an approach of inflammatory and alarmist attacks against school and public libraries in Colorado. Why? "Libraries push porn" has a "man bites dog" feel; it sounds like surprising and even shocking news. The claim that EBSCO promotes access to "inappropriate content" is mainly a strategy for NCOSE to draw attention to its name and cause.
- ALA's Office for Intellectual Freedom office is aware of no reports of any minor seeking or finding illegal or even pornographic content through EBSCO. Thus



far, the searching is done by adults, usually employing relatively sophisticated searching techniques that involve multiple steps. Moreover, these searches are conducted at home, where the internet connection is not filtered. If minors were in fact seeking sexual content, it's unlikely that they would start with EBSCO. Nor would they start with filtered library catalogs. They would use their home computers or mobile phones and Google.

- Libraries are defenders of the First Amendment. EBSCO has a right to aggregate mainstream content and sell it to libraries. Adults have a right to read magazines, without being limited to magazines that are intended for children. Minors have a right to access information in the general marketplace. And of course, NCOSE has a right to protest sexual content, and to advocate for its elimination. Libraries also have a responsibility to listen to the concerns of their constituents. To that end, they adopt Request for Reconsideration policies. When a patron expresses concern about content, a thoughtful process calls for a committee to examine the challenged item or service, consider the policy framework of the library (including the *Library Bill of Rights* and the library's collection development policy), and make a recommendation to administration. Many reconsideration processes also allow an appeal to the governing body of the library. The decision of that authority is considered final, absent a court challenge, which is highly unlikely here.
- The board is the ultimate keeper of the library's values and purpose, as expressed in its adopted policy. Public libraries in America exist to provide the broadest possible access to the content of our culture. Sometimes that can be awkward, and it isn't unusual to find people who want libraries to suppress one view or another. But as stated in Article II of the *Library Bill of Rights*, "Materials should not be proscribed or removed because of partisan or doctrinal disapproval." As stated in Article III, "Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment."

Conclusions

Despite NCOSE's attempts to shame ALA, there are some points about which we surely agree. Sexual exploitation is bad. Sexual trafficking is wrong.

But there are more places where we disagree:

- Pornography is not a public health crisis. The indicators (of sexual assault and teen pregnancy) suggest that things are getting better, not worse. That change appears to be linked to greater, not lesser, access to sexual content.
- Minors are not spending too much time researching credible information resources at the library. In a time of "fake news," teaching students to examine and think critically about periodical content is a better strategy than trying to suppress the topics altogether.
- The elimination of curated collections is not better than random internet searches.
- Shame—a strategy to discredit motives rather than honestly examine the evidence—is corrosive and dishonest. To put it in a faith-based perspective, this technique bears false witness. It slanders knowledge-workers the better to privilege prudes.
- NCOSE's Dirty Dozen is disingenuous. NCOSE accuses libraries and periodical indexers of crimes. Yet it ignores the well-documented sexual abuse in religious organizations, such as the Catholic Church's abuse of young boys, or the estimated quarter-of-a-million child marriages that take place in the United States every year. In one highly publicized case, an 11-year-old girl was forced by her church elders to marry the man who raped her (Kristof 2017). An organization devoted to the elimination of sexual trafficking might have taken a stand about that. Is it libraries that are the issue? Is it the news? NCOSE's efforts are all about faux outrage and publicity stunts, not a serious attempt to deal with real issues.

Finally, then, I have read and thought deeply about the claims of NCOSE. I do not find them credible. I find, instead, an attempt to impose a narrow religious view, not supported by the evidence, on the entire American citizenry, young and old alike.

As is so often the case, there are people who believe that if we just stop talking about important problems—the abuse of children, for instance—the problem itself disappears. But talking about it is not the problem. NCOSE's view is that sexual content, of any description, is dangerous and should be proscribed. This is the perspective of censorship. Librarians oppose it, as we should.

We have a fundamental obligation. We are responsible for providing access to the intellectual content of our culture. It turns out that people talk and write about sex from many perspectives. We do not hide, we do not suppress, the evidence. We preserve and present it. The consensus of this moment is that sexual content does *not* cause or promote sexual crime. The facts matter.

NCOSE is but the latest in a string of campaigns to force us back into silence, a silence that always favors the perpetrators of abuse, not those who report it, or who seek new pathways to a more open and honest health. Silence is itself a form of false witness, a pretense, a lie. Let us instead dare to tell the truth.



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