

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Chairperson Bill Mason at 1:35 p.m. on March 11, 2003 in Room 313-S of the Capitol.

All members were present except: Representative John Edmonds
Representative Everett Johnson

Committee staff present: Russell Mills, Legislative Research Department
Mary Torrence, Office of Revisor of Statutes
Rose Marie Glatt, Committee Secretary

Conferees appearing before the committee: **Opponents:**

Duane Johnson, State Librarian
Marilu Goodyear, University of Kansas and Board of Regents,
Vice Provost for Information Services and
Chief Information Officer
Tim Moore, Wichita Public Library
Laura Loveless, Kansas City Kansas Public Library
Betty Cattrell, Haysville Public Library Assn.
Rosanne Goble, Kansas Library Assn.
Dr. Blake West, KNEA
Donna Whiteman, Kansas Association of Schools
James McHenry Ph.D., Topeka and Shawnee County Public Library
Daryl Youngman, Kansas State University Library
Freda Dobbins, Pottawatomie-Wabaunsee Regional Library
Diane Yeagley, Patron of the Topeka Library
Robert Banks, Topeka and Shawnee County Public Library
John Opgaard, Topeka and Shawnee County Public Library

Others attending: See Attached

Representative Hutchins clarified a statement made yesterday regarding the impact **HB 2420** would have on schools and universities. The bill was not intended to impact those institutions and the revisor had agreed to rework the bill to clarify that point.

HB 2420 - Children's Internet Protection Act

Duane Johnson, State Librarian, stated that Library boards and librarians throughout Kansas support Internet safety for children (Attachment 1). A filter device is an unreliable and an expensive remedy that would mean increased expenses for research libraries. K.S.A 21-4301 provides a more effective remedy than that which is proposed in **HB 2420**.

Marilu Goodyear, University of Kansas and the Board of Regents expressed concern about the impact of the **HB 2420** since the definition of libraries in the bill includes academic and special libraries that are supported by public money (Attachment 2). She estimated the costs of putting filters on the 1,269 public machines in the Regents institutions, to be \$6,800,000. The University believes that librarians and their supervisors are best suited to made decisions about access to information in their individual libraries.

Tim Moore, Wichita Public Library, rose in opposition to **HB 2420** (Attachment 3). Their library does not use filtering software on its public access workstations because they believe that the best way to encourage responsible use of their resources is through education and personal responsibility, not through restrictions. Although he acknowledged that it was nearly impossible to keep all customers from viewing inappropriate materials all of the time, their staff promptly addresses each abuse of library policies when it is brought to their attention.

Laura Loveless, Kansas City Kansas Public Library, stated that staff would have to be reassigned to the computer area just to verify that age restrictions imposed in **HB 2420** were being met. They feel this is unfair to their other customers. There have been no incidents in the last six months of inappropriate computer usage. (No written

testimony).

Betty Cattrell, Haysville Public Library, reviewed the process that customers go through before they can use computers in their small library. They believe that good service is of utmost importance and fear that service would decline if their small staff would be required to take on additional duties imposed by **HB 2420** (No written testimony).

Rosanne Goble, Kansas Library Association, related that the very notion of filtering is diametrically opposed to the philosophies and attitudes of those who worked hard to bring Internet access into rural areas. The cost of filtering software would place another burden on their small and already stressed budgets (Attachment 4).

Blake West, KNEA, stated that Internet filtering systems have not been found to work effectively and provide a false sense of security that may lead to under-supervision of children as they use the Internet (Attachment 5). The only effective system that allows access to needed appropriate content is for education and library media specialists to monitor student use of these resources.

Donna Whiteman, Kansas Association of School Boards, expressed her concern over what they consider very broad language in **HB 2420** making it vulnerable to litigation (Attachment 6). She stated that she would provide the revisor an article on technology from the Richmond Log Journal, that details the history of litigation in the area of internet in schools.

James McHenry, Topeka and Shawnee County Public Library, stated that no caring person wishes children to be exposed to pornography, however **HB 2420** does not effectively advance that cause (Attachment 7). I do not believe this bill represents good public policy.

Daryl Youngman, Kansas State University Libraries, stated that the broad definition of "library" as used in **HB 2420** would certainly include academic university libraries (Attachment 8). This bill has the potential to draw away scarce human and financial resources from research and instruction and diminish the libraries' ability to fulfill its mission.

Freda Dobbins, Pottawatomie Wabaunsee Regional Library, expressed concern over what **HB 2420** would do to the small rural libraries (Attachment 9). Finding reliable, dependable employees for their libraries is difficult at best and the bill would make it almost impossible when they learned they could be subject to being sued if some one from the community happened to dislike what they saw on a computer, even if the Library had a filter in place.

Diane Yeagley, Library Patron, rose in opposition to **HB 2420** (Attachment 10). She spoke about the various resources that her family used at the Library and stated that the staff was trained well to handle possible abusers.

Robert Banks, Topeka and Shawnee County Library, expressed confusion as to the need for the legislation (Attachment 11). Their library currently filters all of the computers in the Children's area and they have a strong Internet policy that doesn't permit viewing inappropriate materials on any of their computers. He reviewed procedures used for someone found violating the policy. He urged the committee to vote against **HB 2420** and allow local boards to handle this on a local level.

John Opgaard, Topeka and Shawnee County Library, reviewed the libraries Public Computer Use Policy (Attachment 12). During 2,002, the Library served nearly 800,000 people and only 241 (0.03%) were expelled for violating the policy. He reviewed recent actions taken by the Board of Trustees stand by their Computer Use Policy.

HOUSE FEDERAL & STATE AFFAIRS COMMITTEE GUEST LIST

DATE March 11, 2003

NAME	REPRESENTING
Donna Tryon	TSCPL
John Opgaard	Topeka & Shawnee County Public Library
Jim McHenry	The Library Foundation
Stephanie Hall	Topeka + Shawnee County Pub. Lib.
Ann Newell	Topeka + Shawnee County Pub Lib.
Cleanor Strecker	TSCPL
Thad Hartman	TSCPL
DENNIS WILSON	TOPEKA & SHAWNEE COUNTY PUBLIC LIBRARY
Rosanne Goble	Kansas Library Association
Vicky Serbert	Haysville Community Library
Kay Russell	North Central KS Libraries System
Linda Knupp	Manhattan Public Library
Laura Lovelorn	Kansas City KS Public Library
BARBARA RAUTER	KE KS Public Library
DENNIS HUDRATH	SELF
Jeff Dawson	TSCPL
Paul Brennan	TSCPL
Diana Friend	TSCPL
Cathy Cook	TSCPL
Robert Banks	TSCPL
Betty Coltrud	HAYSVILLE LIBRARY

HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE
Representative William Mason, Chairperson
Representative Daniel Williams, Vice Chairperson
Representative Rick Rehorn, Ranking Minority Member

March 11, 2003
House Bill 2420

Statement from Duane Johnson, State Librarian, Room 343, Capitol Building.

Mr. Chairman and members of the committee,

Thank you for the opportunity to speak to you about House Bill 2420.

I am here as the director of a state agency library that is affected by this bill, but also with the perspective of one who was for 14 years the director of a local Kansas library and a regional library system. Through all of these years of working with library board members who set policy for the operation of their library, I've come to know of their effectiveness, their sense of community values, and their good common sense. These fine people are operating your libraries very well and they are worthy of the Legislature's confidence and support.

Library boards and librarians throughout Kansas support Internet safety for children - Safety for children is a major concern for library board members. Internet safety is a particular concern. When a complicated issue like Internet access arises, library boards have been effective in setting appropriate policies and procedures. These policies that direct the supervision of library employees are the best protection for children using the Internet on a library computer.

A filter device is an unreliable remedy - The bill mandates Internet filtering devices that are not effective in providing the protection that is the apparent objective of the bill. There is no Internet filtering device on the market that can stop every instance of objectionable information being displayed. Attached here is a filter evaluation article from Consumer Reports showing their test results on the leading filter products. The tests show a typical 20% failure rate. The filters failed to block one in five objectionable sites. Good library policy and library staff supervision are more reliable than this. There is no filter device that will block an objectionable picture that is displayed at an Internet address that is with bad intent designed to look innocent.

A December 2002 Kaiser Family Foundation study reports that filters can block substantial amounts of pornography, but only if set to be so restrictive that substantial amounts of health information also are blocked. If the filter is configured so that health information is accessible, the blocking of objectionable information is less than effective.

A filter device is an expensive remedy - The price of a filter device is approximately \$50, but this is only the beginning of the cost. The major filter brand is now sold by subscription at \$50 per year, plus a fee for periodic update of the filter information. Subscription sales and service fees are the software marketing trend. Additional cost occurs as the filter interacts with other software on the computer and causes problems that re

and frequent tinkering. The frequent tinkering necessary for many computers means increased machine maintenance expense and expense in staff time. User comments in filter product reviews explain that the filter degrades and interrupts the performance of the computer. These poor characteristics mean additional cost to the library and frustration to the users of library computers. In a March 3 Fiscal Note to the Division of the Budget I estimated costs to be \$150 per year, per library computer. Library directors tell me this estimate is too low. Even at the low estimate, the three year fiscal impact is \$1,721,250.

Increased expense for research libraries - Libraries that customarily serve adults, but occasionally serve children, will be required to accommodate this significant new expense. For the State Library, this expense is estimated to be \$1000 per year. For a college library or a university library, the expense would be very significant. The costs will be the expenses of software, the maintenance on the large number of computers involved, and staff time in dealing with filter related computer problems.

K.S.A 21-4301a (Promoting obscenity to minors) and K.S.A 21-4301c (Promotion to minors of obscenity harmful to minors) provide a more effective remedy than that which is proposed in House bill 2420 - Because of the flaws in filter devices, these existing laws and the policy of local library boards and the supervision of librarians is the best possible protection of children when they use a computer in their library.

Technical considerations in the wording of the bill:

It appears that in lines 17 and 18 the bill is addressing print and other formats of information than just electronic. If this is an effect of the bill, there is additional cause for concern.

Some libraries have the policy to employ filtering by way of a filter provided by an Internet Service Provider or a filter mounted on a server that monitors many computers. The bill wording on page 2, lines 2 and 3, does not provide for the ISP or server manner of filter application. The requirement of a filtering device in this circumstance would be an unnecessary expense and disruptive software complication.

It is my feeling that the beneficiary of House Bill 2420 if it is adopted will be the marketers of poor Internet filter software, not the Kansas children who are everyone's most important consideration in this issue.

Thank you for the opportunity to address these issues with the committee.

Attachments: 1) Consumer Reports filter test article, 2) Current filter reviews printed from the Internet this weekend, 3) Information on FilterLogix Content Manager, 4) and Johnson County Public Library Internet policy requested by a committee member yesterday

Duane Johnson, State Librarian
Capitol Building, third floor
785- 296-3296 duanej@kslib.info

To: Members of the House Federal and State Affairs Committee
About: Consumer Reports, March 2001 issue
Article on filter software - "Digital Chaperones for Kids"
Date: Tuesday, March 11, 2003

The following clip are the recommendations from the CONSUMER REPORTS article.

The three pages following give you the complete article.

✂ ✂ ✂ ✂ ✂ ✂

Recommendations

Filtering software is no substitute for parental supervision. Most of the products we tested failed to block one objectionable site in five. America Online's Young Teen (or Kids Only) setting provides the best protection, though it will likely curb access to web sites addressing political and social issues.

If you're not an AOL user but still want some restriction on your kids' access to the Internet, consider which product's features best suit your needs. Some examples:

Cyber Patrol, the most full-featured product, has the most extensive controls over when your child can go online, plus the ability to block or unblock sites that deal with sex education.

Cybersitter 2000 and *Norton Internet Security 2001* both let you control access to at least 20 categories of subject matter.

Cybersitter 2000, *Net Nanny*, and *Cyber Snoop* can all keep a log of your child's online activity, including any attempts to view blocked sites.

Nearly all the filters offer some control over the disclosure of personal information, such as name and address. But we found such privacy protection too weak to rely on.

People who visit sites they don't want their kids to see can delete the browser's off-line files--where it saves copies of recently visited web pages. And you can check your child's recent online activities by reviewing the browser's history list and bookmarks. To check for any adult images your child may have downloaded from the Internet, search your hard drive for recent files with names ending in .gif, .jpg, .tif, or .zip.

Two sites that provide information on how to protect children online are www.getnetwise.org and www.safekids.com.

✂ ✂ ✂ ✂ ✂ ✂

Our mission since 1936. Test. Inform. Protect. We accept no ads.

Send to a friend

FEATURE REPORT

March 2001

RATINGS



- Ratings
- [Should the government require filtering?](#)
- [Chaperoning or censorship?](#)

**SUBSCRIBE TO
 CONSUMER REPORTS
 ONLINE
 ONLY \$3.95
 PER MONTH**

Digital chaperones for kids



WHICH INTERNET FILTERS PROTECT THE BEST? WHICH GET IN THE WAY?

Are you concerned that your kids will encounter sexually explicit material online? Recent studies show that such content appears on just 2 percent of web sites. Even so, it's easy to reach a site with X-rated content, via a major search engine, using terms like "Bambi" or "adult." If you use a more suggestive word for the search, you will be steered to hundreds of sexually oriented sites. Pornography isn't the only troublesome area. According to the Simon Wiesenthal Center, there are now some 3,000 hate-promoting web sites. Countless other sites accessible to children

promote drug use, fraud, or bomb-making.

The federal government hasn't been effective at restricting children's access to sexually oriented content online. The Supreme Court struck down one law, the Communications Decency Act, on First Amendment grounds. In December 2000 Congress passed the Children's Internet Protection Act (see [Should the government require filtering?](#)). This legislation would require schools and libraries that want federal funding to filter objectionable Internet content.

The only federal law offering explicit protection to young web surfers at home is the Children's Online Privacy Protection Act, which prohibits any web site from collecting a child's personal information without parental consent.

Who has the primary responsibility for protecting children when they go online at home? The parents of the 26 million U.S. youngsters who surf the web, that's who.

According to a recent survey by Jupiter Research, seven out of ten parents handle the issue by being present when their kids go online. Only 6 percent use stand-alone filtering software, products that promise to steer kids clear of undesirable material.

Does that small minority know something? Can a technological fix substitute for a parent's watchful eye? In 1997, when we first tested this kind of software, the answer clearly was no. But since then, the number of software filters has grown from a handful to well over a dozen. Internet giant America Online (AOL) comes with parental controls that filter content.

Is the present generation of filtering software any better than its predecessors? To find out, we bought nine of the most widely used titles, ranging in price from \$39 to \$80. Most are written only for Windows computers, not Macintoshes. We also tested AOL's parental controls.

Some filters proved to be so simplistic or so complex to set up effectively that we didn't test them fully. And a few dropped off the market while our tests were under way. In the end, we rated six products plus AOL's parental controls.

The basics of filtering

Each product we tested filters web content by interposing itself between your computer's web browser and Internet connection, then preventing objectionable content from getting through. Some let you decide in advance whether to filter different types of content, such as profanity or sex information. Depending on the product and how a user configures it, a child trying to access an off-limits site may receive a warning message, a browser error message, or a partial view of the blocked site. Sometimes, the browser itself will shut down.

Filtering-software designers use one of three approaches to determining whether a site merits blocking:

- ▶ **Software analysis.** A site's contents can be rapidly analyzed by software. The filter may render a judgment at the time a child tries to access a site, or check a list of sites to block. The presence of certain phrases or images may render the site objectionable.

While efficient, software analysis has its drawbacks. The software may decide to block a web site that's completely above reproach only because it contains a prohibited word. It may partially block a site, preventing

text from appearing but letting through photos or onscreen images with embedded text. Or it may block images but not text. Most software we tested blocked both words and images.

For example, in 1999 Dr. Jamie McKenzie, publisher of an online journal about educational technology, found his site blocked by a major filtering product, which warned users that McKenzie's site was in the "sexually explicit" category because it contained a file named adult.html. The blocking was lifted after McKenzie complained.

► **Human analysis.** Some companies have their staff review sites individually, then place them on a list to be blocked or designated as suitable for children. This time-consuming process limits the number of sites that can be reviewed. Given the web's volatility, chances are that numerous objectionable sites will remain perpetually outside the reviewers' scrutiny.

► **Site labeling.** Several of the products we tested incorporate a popular ratings system run by the nonprofit Internet Content Ratings Association (ICRA). This program, in which web-site owners voluntarily label their content, has been around for several years. The ICRA system recently expanded its labeling to include drugs, alcohol, tobacco, and weapons, plus the context in which words appear.

Microsoft's Internet Explorer browser can filter sites using these labels, including the expanded ICRA labeling. (You'll find it listed as "content advisor" under Internet Options in the Explorer menu.) Netscape's browser doesn't have the feature.

We found this feature in Explorer ineffective as the sole filtering technique, because the many sexually explicit sites that aren't rated won't be blocked. You can set the feature to block all unrated sites. But that will block so many unrated conventional sites—including, for example, the White House, the U.S. Senate, the House of Representatives, and the Supreme Court—that it makes browsing pointless.

Site labeling also depends on the honesty with which sites rate themselves. We found one site containing profanity that slipped past Explorer's filter because the site owner chose a label that didn't accurately reflect the site's content. Until far more sites suitable for children are properly labeled, labeling must be considered a complement to other filtering techniques, rather like motion-picture ratings.

How well do filters block bad stuff?

Our main test determined how well the filters blocked objectionable content. We configured all six products for a 13- to 15-year-old; we also tested AOL's Young Teen (ages 13 to 15) and Mature Teen (ages 16 to 17) parental controls. We pitted them all against a list of 86 easily located web sites that contain sexually explicit content or violently graphic images, or that promote drugs, tobacco, crime, or bigotry.

AOL's Young Teen control, the best by far, allowed only one site through in its entirety, along with portions of about 20 other sites. All the other filters allowed at least 20 percent of the sites through in their entirety. *Net Nanny* displayed parts of more than a dozen sites, often with forbidden words expunged but graphic images intact.

Why did Young Teen perform so well? According to AOL, the Young Teen control lets kids see only the sites on its approved list, while Mature Teen blocks access to a list of prohibited sites. Kids could view an inappropriate site just because it wasn't on the Mature Teen list. (AOL considers the lists proprietary and does not disclose the number of sites on them.)

Only a few filters were able to block certain inappropriate sites. In some cases, that probably reflected differences in filtering techniques more than differences in judgment. Faulty though it may be, for example, filtering based on objectionable words apparently helped *Net Nanny* and *Internet Guard Dog* intercept a site with instructions on bomb-making that eluded most others.

However, differences in judgment seem the most likely explanation for why only *Cyber Patrol* and both AOL controls blocked the Operation Rescue anti-abortion web site, which contains photos of aborted fetuses. Such differences raise questions about how people decide what gets blocked.

Do filters block good stuff?

In some cases, filters block harmless sites merely because their software does not consider the context in which a word or phrase is used. Far more troubling is when a filter appears to block legitimate sites based on moral or political value judgments.

Prominent filters like *Cyber Patrol* and *Cybersitter 2000* may make some people suspect that value judgments come into play because their makers refuse to divulge the blocked-site lists. In October 2000, the Library of Congress ruled that such lists could be made public by anyone who could decipher the data files in which they are stored.

To see whether the filters interfere with legitimate content, we pitted them against a list of 53 web sites that featured serious content on controversial subjects.

Results varied widely. While most blocked only a few sites, *Cybersitter 2000* and *Internet Guard Dog* blocked nearly one in five. AOL's Young Teen control blocked 63 percent of the sites. According to AOL, its staff and subscriber parents choose the sites kids are allowed to see using this control, with an emphasis on educational and entertainment sites. Our test sites may have been blocked because they didn't meet AOL's criteria, not because they were controversial.

Our results cast doubt on the appropriateness of some companies' judgments. Perhaps the most extreme example of conflicting judgments: the ones applied to the site of Peacefire, an anti-filtering site that provides instructions on how to bypass filtering products. AOL, *Cyber Patrol*, and *Cybersitter 2000*, which keep their blocked-site lists secret, blocked Peacefire. *Net Nanny*, which makes its list public, didn't block it.

1-5

Recommendations

Filtering software is no substitute for parental supervision. Most of the products we tested failed to block one objectionable site in five. America Online's Young Teen (or Kids Only) setting provides the best protection, though it will likely curb access to web sites addressing political and social issues.

If you're not an AOL user but still want some restriction on your kids' access to the Internet, consider which product's features best suit your needs. Some examples:

- ▶ *Cyber Patrol*, the most full-featured product, has the most extensive controls over when your child can go online, plus the ability to block or unblock sites that deal with sex education.
- ▶ *Cybersitter 2000* and *Norton Internet Security 2001* both let you control access to at least 20 categories of subject matter.
- ▶ *Cybersitter 2000*, *Net Nanny*, and *Cyber Snoop* can all keep a log of your child's online activity, including any attempts to view blocked sites.

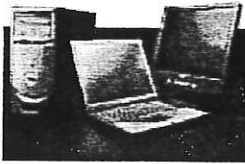
Nearly all the filters offer some control over the disclosure of personal information, such as name and address. But we found such privacy protection too weak to rely on.

People who visit sites they don't want their kids to see can delete the browser's off-line files--where it saves copies of recently visited web pages. And you can check your child's recent online activities by reviewing the browser's history list and bookmarks. To check for any adult images your child may have downloaded from the Internet, search your hard drive for recent files with names ending in .gif, .jpg, .tif, or .zip.

Two sites that provide information on how to protect children online are www.getnetwise.org and www.safekids.com.

[Home](#) | [Appliances](#) | [Autos](#) | [Electronics](#) | [Computers](#) | [More Ratings](#) | [Consumer advice](#)
[Press room](#) | [Privacy](#) | [Security](#) | [About us](#) | [Customer service](#) | [My account](#) | [Subscribe](#) | [Site map](#) | [Our products](#)

Copyright © 1999-2003 Consumers Union of U.S., Inc.
No reproduction, in whole or in part, without written permission.



Save up to \$400! Plus FREE Shipping on Select Systems.

Order Now



Easy as DELL Expires 03/12/03. Small Business Only.

SUBSCRIBE TO PC MAG

Sign in Not a member? Join Now.

HOME | MY ACCOUNT | SIGN IN

ADVERTISEMENT

FIRST LOOKS

REVIEWS

Comparisons Editors' Choice

DOWNLOADS

NEWS & ANALYSIS

SOLUTIONS

TIPS

OPINIONS

INTERNET BUSINESS

PC LABS

PERSONAL TECHNOLOGY

SPECIAL REPORTS

EXTREME TECH

DISCUSSIONS

TECH SHOP

CAREER CENTER

Shop with Premium Partners

Home > Reviews > Comparisons > Net Nanny 4.1



Clean It Up

September 25, 2001

At Home: Net Nanny 4.1

By Jay Munro

Click to Enlarge

- Price: \$39.95 list. Company Info: Net Nanny Software Inc., Bellevue, WA; 800-656-5426, 425-688-3008; www.netnanny.com

Editor Rating: ●●●○○○ Rate it Yourself

An early defender of kids on the Internet, Net Nanny's name is synonymous with content filtering. It doesn't deserve to be.

Net Nanny was extremely disappointing in its filtering. We used 57 potentially objectionable URLs gathered randomly from searches and newsgroup spam, and Net Nanny missed 40 of them. If the site wasn't on Net Nanny's list, it got through. Net Nanny's word filtering helped by blanking out forbidden words, though too often we reached pages where words were replaced by pound signs (###) but other offensive content, such as pictures, was still there. You can block images from being shown, but that applies to all pages, not just the bad ones. When a site that is on Net Nanny's list is accessed, the user gets a full-size "Blocked by Net Nanny" screen. We found that the sexually oriented word list, while fairly broad, did not stop plural versions of words.

We were disappointed with Net Nanny's narrow focus on sex; its blocked-word lists, which largely ignore hate, drugs, and other subjects; and its inability to filter chat and newsgroups, which are either allowed or not. While Net Nanny's list of objectionable sites and words is open and editable, we think that most parents won't have the time or ingenuity to come up with good lists on their own; they want the experts to do this.

The program provides individual logons for up to 12 people. The parent or administrator can control access to IRC chat, newsgroups, words and phrases, and Web sites for each user.

PRODUCT GUIDES

- Desktops, Digital Cameras, Displays, DVD Creation, Handhelds, Macintosh, MP3 Players, Notebooks, Printers, UPSs, Wireless Networking, Windows XP

view all Guides >>

Get PC Magazine at up to 77% off and get free software!

Try Our New Digital Format

Current Issue



PRODUCT GUIDES

ADVERTISEMENTS

TABLE OF CONTENTS

- Clean It Up, Editors' Choice, AOL Parental Controls, Cyber Patrol 5.0, Cyber Snoop 4.0, Cybersitter 2001, McAfee Internet Guard Dog 3.0, Net Nanny 4.1, Norton Internet Security 2001 Family Edition, IM Web Inspector 5.1.4, SuperScout Web Filter 3.0, SurfinGate 5.6, 8e6 R2000L, St. Bernard iPrism, Telemate.Net, NetSpective WebFilter, Case Studies: Public and Private, Online Extra: Federally Funded Peep Shows, Online Extra: Benchmark Tests, PC Labs Scorecard, Summary of Features

- Print, Email, Save

John C. Dvorak Shuttle E-mail NASA's bureaucracy revealed in electronic paper trail. Plus: Internet vs Hollywood

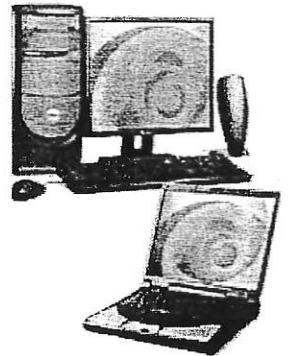
how to help guide Got a Tech Toy? Confused? Click Here for Help!

SPECIAL REPORT:



Does FREE stuff make you smile? free (3-5 day) shipping

with the purchase of any new Dell Home System. Expires 3/12. Click for details.



Easy as DELL

The Dell™ Dimension™ 8250 features the latest Intel® Pentium® 4 Processor. Order the easy way. Click here.

Easy as DELL intel inside pentium

<< back

next>>

SUBSCRIBER SERVICES

- Subscribe
- Subscriber Help
- Gift Subscriptions
- Newsletter Help
- Contact the Editors
- New Digital Format

- Advertise
- Ad Index

Free Online Seminars For IT Professionals

- 03/11 - Deploying Wireless LANs
- 03/12 - The Perfect PC: What to Look For
- 03/13 - Call Centers: How to Deliver Cost Effective Service & Support
- 03/18 - Caught & Kept! How to Keep Customers by Knowing Who They Are



FREE NEWSLETTERS

Get PCMag.com's FREE online newsletters!

- Inside PCMag.com**
- Internet Business Technology**
- Productwire: First Looks Update**
- Tip of the Day**
- PC Magazine's TrendWatch**

Preferred e-mail format:

Enter your e-mail:

view all newsletters >

MEMBER RATINGS

Rate it Yourself

Canuckman
January 4, 2003

Member rating: ●○○○○

I bought NetNanny5 a week ago thinking it would be a vast improvement over past versions. Bad mistake! Not only did it not work as advertized, it slowed my broadband internet speed to less than a 56k dialup modem. I was advised to disable Rating Systems entirely and load up a bare-boned restricted list to help speed things up! Unfortunately, that didn't help. Another problems I had was Internet Explorer refusing to re-open after it has been closed. Repeated attempts to re-open IE would soak up memory until the computer eventually runs out of memory and freezes. NetNanny Tech support has yet to respond to my request for a remedy to the situation or for a refund for a useless product.

TRAVELMECH

Member rating: ●○○○○

July 19, 2002

Retailer was discounting this software, should have taken the cue. Installed the program and quickly found out it didn't work. Went to Uninstall it and couldn't. Found out that their phone support was disconnected May 2002 so I tried the online support. So far they have not responded to me after numerous e-mails that I have sent to them.

LookItUp

Member rating: ●○○○○

July 8, 2002

This software is deplorable! I can not believe that the company can continue to market this product! I am a software engineer with over 17 years of experience in the computer industry, and this has to be about the lamest product that I have EVER come across for commercial sale. I have two children with computers in their rooms and recently I added internet access to those computers. I read the ENTIRE Net Nanny manual, spent over two hours configuring it, and the first time my little girl was on the net, she was brought to a sexually explicit site! This is the ultimate piece of crap software that really should be pulled from the marketplace for fraudulent advertising.

[view more Member Ratings](#)

FREE ONLINE SEMINARS FOR EXECUTIVES AND IT PROFESSIONALS

- **03/11: Deploying Wireless LANs** with Aaron Goldberg. *Sponsored by Intel.*
- **03/12: The Perfect PC - What to Look For** with Jim Louderback. *Sponsored by Dell.*
- **03/13: Call Centers - How to Deliver Cost Effective Service & Support** with Frank Derfler. *Sponsored by FrontRange Solutions.*

[view more eSeminars >>](#)

NEW FROM ZIFF DAVIS INTERNET

NEW! Keep up-to-date on news, reviews and tools at Ziff Davis' [Security Supersite](#) and [Wireless Supersite](#).

● [Tireless Effort for](#)

TECH SHOP @ PCMAG

GREAT DEALS on [Desktops](#) at PCMag's Tech Shop!

Top Selling Desktops:

- [Sony VAIO 2GHz P4](#)
- [Dell Dimension 4550](#)
- [Shuttle XPC Barebones](#)
- [Apple iMac G4](#)

ADVERTISEMENT



END ADVERTISEMENT

SHOP NOW

Find the products and prices you're looking for:

Pick a Category:

Shop by Keyword:

Powered by PriceGrabber

COMMUNITY

Recent Discussions

- [Don't Let Your Old PC Haunt You](#)
- [Defining DV Upward](#)
- [Internet vs. Hollywood](#)
- [WIN98 End Of Life](#)
- [Transmeta's Next Step](#)

[Start a Discussion](#)

Find a Topic:

COVER STORY

- 3.25.2003
[Top 200 Web Sites](#)
- 3.11.2003
[Speed Up Your PC](#)
- 2.25.2003
[Slam the Spam](#)

ADVERTISING PARTNER SERVICES

- [Dell Showcase](#)
- [Dell Desktops](#)
- [Dell Notebooks](#)
- [MPC \(MicronPC\)](#)
- [Gateway@ Notebooks](#)
- [Gateway@ Desktops](#)

Want to boost the power of your PC?

www.crucial.com

18

<ul style="list-style-type: none"> Wireless Insight Blocking the Bad Guys Is Unauthorized Wireless Always Bad? Issue: Full Disclosure vs. Secrecy <p style="text-align: right;">More Wireless and Security >></p>	<p>HP Pavilion763n</p> <p style="text-align: right;">More Desktops >></p>
--	---

MARKETPLACE

GoToMyPC - Secure Remote Access

Empower your company with secure remote access. GoToMyPC is fast, secure and easy to set up. Click here for more information and a free trial of GoToMyPC.

\$8.95 Domain Names from Go Daddy Software

.COM, NET, ORG for only \$8.95. Domain transfers just \$7.75. FREE parked page, domain forwarding, locking & more. Advanced domain control center & FREE DNS management. ICANN accredited, #1 in net new names.

NetSupport Manager PC Remote Control

Perform remote support and management on multiple systems simultaneously over a LAN, WAN and the Internet with this PC remote control software. Provides speedy, secure remote PC access, dynamic inventory, automated scripting and more.

Data Security products & papers

Papers and products on information security. Digitally sign and encrypt your data regardless of the application you or your recipients are using. Protect your files, emails, instant messages, web pages and content in any application.

\$13.95 / yr - Domain Name Registrations

Reserve a .com, .net, .org web address here and get free url forwarding with masking, managed dns services such as IP, MX, and CNAME pointing for free with every registration here.

ADVERTISEMENT INTEL SHOWCASE

[Shop Now! - Dell Home Solutions Center](#)

[Build your custom desktop at MPC \(MicronPC\)!](#)

[No Payments. No Interest until June 2003 on Gateway[®] PC](#)

[ViewSonic VE500 15" LCD Monitor - \\$300 + Free Shipping](#)

SPONSORS

[FREE RAM UPGRADE w/ select Dell[™] Notebooks. Details here.](#)

[Dell PCs. Affordable technology you trust.](#)

[Manage enterprise desktop challenges with Microsoft.](#)

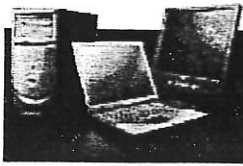
[WIN a 50" HDTV or XEROX COLOR PRINTER!](#)

[HOT rebates on HP's best selling color products!](#)

[The next generation IBM eServer iSeries meets needs on demand. View demo.](#)

[Save \\$1000 on the new hp LaserJet 4100mfp](#)

[\\$94 ValueRam 256MB DDR PC3200, Free 2nd Day](#)



Save up to \$400! Plus FREE Shipping on Select Systems.

Order Now



Easy as DELL Expires 03/12/03. Small Business Only.

SUBSCRIBE TO PCMAG

Sign in Not a member? Join Now.

HOME | MY ACCOUNT | SIGN IN

ADVERTISEMENT

FIRST LOOKS

REVIEWS

Comparisons Editors' Choice

DOWNLOADS

NEWS & ANALYSIS

SOLUTIONS

TIPS

OPINIONS

INTERNET BUSINESS

PC LABS

PERSONAL TECHNOLOGY

SPECIAL REPORTS

EXTREME TECH

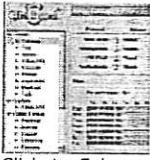
DISCUSSIONS

TECH SHOP

CAREER CENTER

Shop with Premium Partners

Home > Reviews > Comparisons > Cyber Patrol 5.0



Clean It Up

September 25, 2001

At Home: Cyber Patrol 5.0

By Richard V. Dragan

Click to Enlarge

- Price: With one-year update subscription, \$49.95 direct.
Company Info: SurfControl plc, Scotts Valley, CA; 800-828-2608; www.cyberpatrol.com.

Editor Rating: 4/5
Member Rating: 4/5
Rate it Yourself

Though SurfControl's Cyber Patrol 5.0 lacks age-specific presets, it's a capable Web filter with good blocking of chat and newsgroups.

Like Norton Internet Security 2001, Cyber Patrol requires an ongoing subscription. The first year is included in the \$49.95 base price; each subsequent year also costs \$49.95. You can try the application for free for 14 days.

Installation was effortless and setup not much harder. Before going online, family members log on with their accounts and passwords. Parents can set up to nine family accounts with different mixes of 12 blockable categories, such as sex, drugs, and alcohol. Don't look for default age-appropriate settings here, however.

Cyber Patrol blocks Internet content by keyword patterns in URLs and by specific URLs updated daily from SurfControl. Blocking worked well, though a few misses, such as www.victoriassecret.com and www.gunsandammo.com, puzzled us. Fortunately Cyber Patrol lets parents block sites manually.

One standout feature is Cyber Patrol's ability to "paint" times when Internet access is permitted. By simply clicking with the mouse, parents can permit or restrict surfing times on a grid of convenient half-hour increments. The product also does a nice job blocking chat, with the option to allow it until certain four-letter words are used, stopping conversations that turn nasty.

PRODUCT GUIDES

- Desktops
Digital Cameras
Displays
DVD Creation
Handhelds
Macintosh
MP3 Players
Notebooks
Printers
UPSs
Wireless Networking
Windows XP

view all Guides >>

Get PC Magazine at up to 77% off and get free software!

Try Our New Digital Format

Current Issue



PRODUCT GUIDES

TABLE OF CONTENTS

- Clean It Up
Editors' Choice
AOL Parental Controls
Cyber Patrol 5.0
Cyber Snoop 4.0
Cybersitter 2001
McAfee Internet Guard Dog 3.0
Net Nanny 4.1
Norton Internet Security 2001 Family Edition
IM Web Inspector 5.1.4
SuperScout Web Filter 3.0
SurfinGate 5.6
8e6 R2000L
St. Bernard iPrism
Telemate.Net
NetSpective WebFilter
Case Studies: Public and Private
Online Extra: Federally Funded Peep Shows
Online Extra: Benchmark Tests
PC Labs Scorecard
Summary of Features

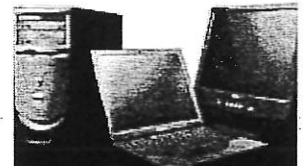
- Print
Email
Save

John C. Dvorak Shuttle E-mail NASA's bureaucracy revealed in electronic paper trail. Plus: Internet vs Hollywood

how to help guide Got a Tech Toy? Confused? Click Here for Help!

SPECIAL REPORT:

ADVERTISEMENTS



Save up to \$400! Plus FREE Shipping on Select Systems.



Order Now

Easy as DELL

Expires 03/12/03. Small Business Only.

The Dell Dimension 8250 features the latest Intel® Pentium® 4 Processor. Order the easy way. Click here.



Easy as DELL

<< back

next>>

SUBSCRIBER SERVICES

- Subscribe
- Subscriber Help
- Gift Subscriptions
- Newsletter Help
- Contact the Editors
- New Digital Format

- Advertise
- Ad Index

Free Online Seminars For IT Professionals

- 03/11 - Deploying Wireless LANs
- 03/12 - The Perfect PC: What to Look For
- 03/13 - Call Centers: How to Deliver Cost Effective Service & Support
- 03/18 - Caught & Kept! How to Keep Customers by Knowing Who They Are



FREE NEWSLETTERS

Get PCMag.com's FREE online newsletters!

- Inside PCMag.com**
- Internet Business Technology**
- Productwire: First Looks Update**
- Tip of the Day**
- PC Magazine's TrendWatch**

Preferred e-mail format:

HTML

Enter your e-mail:

[view all newsletters >](#)
>

MEMBER RATINGS

Rate it Yourself

SteveJossi
February 24, 2003

Member rating: ●○○○○

Downloaded for a free 14 day trial . . . two days later, I was unable to get on internet at all as CyberPatrol said I had used all my time allowed for the day . . . next day, first attempt to get on line, I received the same message . . . called customer service, was told I would have to pay \$9.95 to get instructions to fix problems . . . expressed dissatisfaction that I was a potential customer, trying out service, had problem with software, and was asked to pay to get help to fix problem ...talked with two very unhelpful customer service agents . . . e-mailed for support (which was free) two days ago and I still have heard nothing . . . I would not use the product if it was free . . .

sacompton
February 5, 2003

Member rating: ●○○○○

Easy to install, user accounts not too difficult to set up but problems (of major importance) frequently. There is an issue with MSN messenger, which, if you have kids, is hard to avoid and the system hangs at least once every session for reasons unknown. Even after uninstalling MSN problems continue. When Cyberpatrol is shut down there are NO problems. I have had one major crash and spent more hours than I care to think about trying to fix the problems that Cyberpatrol causes. Once uninstalled, everything is fine. Not a good purchase.

easyv
November 9, 2002

Member rating: ●○○○○

Our highschool had this program. It took us 1 day to crack. We tried all the usual ways and then just tried ctrl-alt-deleting it. The first time we tried to close it down it said it would not allow itself to be closed and then we did it again and it said the same thing. Then the program crashed and closed. I thought it might be a bug but it worked throughout the year on the school computers, in my home computer, and my friend's computer in windows 95 and 98. We just had to ctrl-alt-del it twice each time. It was harder to disable in WinNT and Windows XP but we downloaded a program from the web and that worked in about 5 minutes.

[view more Member Ratings](#)

FREE ONLINE SEMINARS FOR EXECUTIVES AND IT PROFESSIONALS

- **03/11: Deploying Wireless LANs** with Aaron Goldberg. *Sponsored by Intel.*
- **03/12: The Perfect PC - What to Look For** with Jim Louderback. *Sponsored by Dell.*
- **03/13: Call Centers - How to Deliver Cost Effective Service & Support** with Frank Derfler. *Sponsored by FrontRange Solutions.*

[view more eSeminars >>](#)

NEW FROM ZIFF DAVIS INTERNET

NEW! Keep up-to-date on news, reviews and tools at Ziff Davis' [Security Supersite](#) and [Wireless Supersite](#).

TECH SHOP @ PCMAG

GREAT DEALS on [Desktops](#) at PCMag's Tech Shop!

Top Selling Desktops:
• [Sony VAIO 2GHz P4](#)
• [Dell Dimension 4550](#)

ADVERTISEMENT



END ADVERTISEMENT

SHOP NOW

Find the products and prices you're looking for:

Pick a Category:

Shop by Keyword:

Powered by PriceGrabber

COMMUNITY

Recent Discussions

- [Don't Let Your Old PC Haunt You](#)
- [Defining DV Upward](#)
- [Internet vs. Hollywood](#)
- [WIN98 End Of Life](#)
- [Transmeta's Next Step](#)

[Start a Discussion](#)

Find a Topic:

COVER STORY

3.25.2003
[Top 200 Web Sites](#)

3.11.2003
[Speed Up Your PC](#)

2.25.2003
[Slam the Spam](#)

ADVERTISING PARTNER SERVICES

- [Dell Showcase](#)
- [Dell Desktops](#)
- [Dell Notebooks](#)
- [MPC \(MicronPC\)](#)
- [Gateway@ Notebooks](#)
- [Gateway@ Desktops](#)

Want to boost the power of your PC?

www.crucial.com

Want to boost the power of your PC?

www.crucial.com

SUBSCRIBER SERVICES

- Subscribe
- Subscriber Help
- Gift Subscriptions
- Newsletter Help
- Contact the Editors
- New Digital Format

- Advertise
- Ad Index

Free Online Seminars For IT Professionals

- 03/11 - Deploying Wireless LANs
- 03/12 - The Perfect PC: What to Look For
- 03/13 - Call Centers: How to Deliver Cost Effective Service & Support
- 03/18 - Caught & Kept! How to Keep Customers by Knowing Who They Are



FREE NEWSLETTERS

Get PCMag.com's FREE online newsletters!

- Inside PCMag.com
- Internet Business Technology
- Productwire: First Looks Update
- Tip of the Day
- PC Magazine's TrendWatch

Preferred e-mail format:

HTML

Enter your e-mail:

SUBMIT

view all newsletters >

Cybersitter is one of the few filters besides AOL Parental Controls that block AIM. When this feature is enabled, the AIM client won't start; the user gets a "lost Internet connection" message instead. With Yahoo! Messenger, Cybersitter goes even farther, allowing chat but blanking objectionable words.

Cybersitter was effective at stopping almost everything we threw at it, with a few anomalies. For example, it thwarted a pro-marijuana site, but not a marijuana seed mail-order site.

<< back

next >>

MEMBER RATINGS

Rate it Yourself

Buckheiser
February 8, 2003

Member rating: ●●●●●

I have been using Cybersitter for about five years and install it in the computers I build for my grandchildren. It is an excellent product but I was disappointed with the upgrades after 98 as it is no longer completely hidden from view and is now easily found and disabled unless you put the password in it. I prefer it to be totally hidden and not in the system tray.

schrodingerscat
January 4, 2003

Member rating: ●●●○○

I have been using Cybersitter 2001 for around 2 years, both at home and at the school that I am sysadmin for. I find that it blocks objectionable sites good enough, but it frequently gets in the way of innocent web surfing. I will go to an innocuous site that shouldn't trip the filter but it does (Excite, Toms Hardware, ABCNews, etc.). I get no indication that Cybersitter blocked it, only that the page can't be found. When I turn it off I can surf just fine. The kids at the school cannot get to some websites they need to get to. What I really need is a program with the blocking ability of Cybersitter but also has problematic sites whitelisted as well, so I can get to legitimate sites without tripping the filter. Or else make Cybersitter smarter.

billyh
November 8, 2002

Member rating: ●●○○○

Editors: Are you listening? Non-Techie households need a product that doesn't take an IT genius to run. Cybersitter 2002 is not suitable for those of us who don't want to keep fixing its problems.

[view more Member Ratings](#)

IN THIS COMPARISON

Editors' Choice	Product	Editor Rating	Member Rating	Shop Now
	AOL Parental Controls	●●●○○		
	Cyber Patrol 5.0	●●●●○	●●○○○	
	Cyber Snoop 4.0	●●●○○		
	Cybersitter 2001	●●●●●	●●○○○	
	McAfee Internet Guard Dog 3.0	●●●○○		Check Prices
	Net Nanny 4.1	●●○○○		
	Norton Internet Security 2001 Family Edition	●●●●○		Check Prices
	IM Web			

ADVERTISEMENT



END ADVERTISEMENT

SHOP NOW

Find the products and prices you're looking for:

Pick a Category: [dropdown menu]

Shop by Keyword: [input field] > GO

Powered by PriceGrabber

COMMUNITY

Recent Discussions

- [Don't Let Your Old PC Haunt You](#)
- [Defining DV Upward](#)
- [Internet vs. Hollywood](#)
- [WIN98 End Of Life](#)
- [Transmeta's Next Step](#)

[Start a Discussion](#)

Find a Topic:

[input field] GO

COVER STORY

- 3.25.2003 [Top 200 Web Sites](#)
- 3.11.2003 [Speed Up Your PC](#)
- 2.25.2003 [Slam the Spam](#)

ADVERTISING PARTNER SERVICES

- [Dell Showcase](#)
- [Dell Desktops](#)
- [Dell Notebooks](#)
- [MPC \(MicronPC\)](#)
- [Gateway® Notebooks](#)
- [Gateway® Desktops](#)

1-12



Why JCPL Does Not Filter Adult Internet Terminals

[Computer Use Policy](#) | [Computer User Agreement](#) | [Internet Use Policy](#)
[Internet Use By Minors](#)

1. Libraries have a responsibility to provide access to diverse sources of information, including the Internet. Providing unfiltered access to the Internet is upholding the first amendment right to free speech. The courts continue to rule against filtering because of this right.
2. There is a fallacy in believing that filtering really works, giving one a false sense of security. Filters can filter out good things and not necessarily filter out the bad things. In addition, many people can figure out how to get into sites that are filtered.
3. The Library's focus is on education and learning how to navigate the Internet. It is our job to help people become good, safe drivers on the Internet. JCPL offers training opportunities to help patrons learn to use the Internet effectively. It is the responsibility of the law to deal with those producing inappropriate sites.
4. JCPL has a policy that governs the use of the Internet by library patrons. Inappropriate activity is not permitted anywhere in the library, including the computer areas.
5. If patrons find a site or language on the Internet that makes them feel uncomfortable, they do not have to stay there to read it or view it. JCPL offers several computers in the library without Internet access, if one does not want to take a chance on being exposed to inappropriate sites.

[Top](#)

[Home](#) | [Catalog](#) | [Library Locations & Hours](#) | [Administration & Opportunities](#) | [Library Services & Events](#)

Johnson County Public Library Administration & Opportunities:
Why JCPL Does Not Filter Adult Internet Terminals
Email: webmaster@infodepo.jcpl.lib.in.us
The address of this page is <http://www.jcpl.lib.in.us/filter2.htm>
Last Updated: 03/29/00 12:08 PM



Internet Use By Minors

[Computer Use Policy](#) | [Computer User Agreement](#) | [Internet Use Policy](#)
[Why JCPL Does Not Filter Adult Internet Terminals](#)

Johnson County Public Library supports parents and guardians in their efforts to guide their own children's access to print, non-print, and on-line information. The library system provides printed materials about the Internet and its resources. However, most current information about the Internet resides on the network itself.

The mission of the Johnson County Public Library is to provide free, open and equal access to ideas and information to all members of the community.

1. The use of the Internet is a privilege and access is voluntary.
2. JCPL believes that the Internet provides benefits of access to information resources and collaboration that outweigh potential disadvantages of access.
3. JCPL seeks to preserve the minors' status as full members of the Internet community.
4. JCPL cannot control the resources on the Internet. The Internet is not a static entity. The Internet changes each minute as new computers connect and existing computers add or delete information.

Some sites accessible via the Internet may contain material that is inaccurate, defamatory, illegal or potentially offensive to some people.

It is technically impossible to prevent access to all resources that might be objectionable to some people and Johnson County Public Library will not undertake to do so.

5. It is the responsibility of parents and guardians to determine whether to place restrictions on their own children in the use of the Internet.
6. Users of the Internet through JCPL are expected to abide by the Johnson County Community Network [Acceptable Use Policy](#).

[Top](#)

[Home](#) | [Catalog](#) | [Library Locations & Hours](#) | [Administration & Opportunities](#) | [Library Services & Events](#)

Johnson County Public Library Administration & Opportunities: Internet Use By Minors

Email: webmaster@infodepo.jcpl.lib.in.us

The address of this page is <http://www.jcpl.lib.in.us/minorpol2.htm>

Last Updated: 03/29/00 12:08 PM



The Next Generation in Content Filtering

[Home](#) > [Products](#) > [Solutions](#) > [Partners](#) > [Support](#) > [Company](#) > [News/Press](#)

- > [Products](#)
- > [Technology](#)
- > [Demo](#)
- > [Competitors](#)
- > [Resources](#)
- > [Get Started](#)

Products

FilterLogix's iCM Internet Content Manager is a "Next Generation" web content filter designed to provide the very best in Internet access management. iCM is powered by FilterLogix's patent pending Active Filtering Technology, which discriminates between desirable and undesirable content...in a fashion similar to human comprehension. This break through technology achieves filtering results that are unsurpassed in today's marketplace.

ICM Series 1000

ICM Series 1000
 1 Ghz PIII CPU
 1 Gig SDRAM
 40 Gig HD
 10 Base-T/100Base-TX Full Duplex Ethernet Interfaces

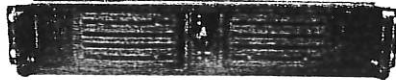
**Small To Medium
Size Customers**
(Up To 1,000 Users)



ICM Series 2000

ICM Series 2000
 (2) 1 Ghz. PIII CPU
 1 Gig SDRAM
 (2) 36 Gig SCSI HD
 10 Base-T/100Base-TX Full Duplex Ethernet Interfaces

**Medium To Large
Size Customers**
(Up To 2,500 Users)



ICM Series 5000

ICM Series 5000
 (2) 2.2 Ghz Xeon PIV CPU
 2 Gigs DDR ECC Registered Memory
 (2) 36 Gig SCSI
 10 Base-T/100Base-TX Full Duplex Ethernet Interfaces

**Enterprise Customers
& ISP's**
(Up To 5,000 Users)



The Next Generation in Content Filtering

[Home](#) > [Products](#) > [Solutions](#) > [Partners](#) > [Support](#) > [Company](#) > [News/Press](#)

Controlling the weather is difficult...



...controlling the Internet just got easier!

FilterLogix is setting new standards in the areas of Internet Access Control and Content Management with unparalleled filtering accuracy 99% effective!

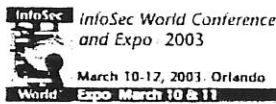
Productivity Enhancement...Customized Bandwidth Control...Total Risk Management

> What We Do

FilterLogix's has harnessed the power of predictive modeling and artificial intelligence to eliminate the need for URL lists or signatures to provide robust filtering, reporting, and management of browser based access to the internet.

[Click Here To Learn More...](#)

FilterLogix will exhibit at the 2003 InfoSec World Conference in Orlando. Come see us at booth #223.



> News

Information Security Magazine selects FilterLogix as one of their new technology....

Hot Picks!



> What's New

FilterLogix is pleased to introduce the Access Control....



...for the best Content Filtering Solution.

1-16

Testimony of Marilu Goodyear
Vice Provost for Information Services and Chief Information Officer
University of Kansas
On HB 2420
On behalf of the Board of Regents and the University of Kansas

I am pleased to be here to speak on behalf of the Board of Regents and the University of Kansas and I thank the committee for providing the opportunity to comment on the proposed House Bill 2420. We are concerned about the impact of this bill since the definition of libraries in the bill includes academic and special libraries (hospital, medical, etc.) that are supported by public money.

I am speaking today as an information technologist, although I do have a library background. Discussion with the deans and directors of libraries and the chief information officers of the regents institutions has informed my comments today.

The staff who build and maintain technology systems of the Regents institutions are facing many challenges within tight fiscal constraints. The use of technology has grown tremendously. At KU, alone, Internet connectivity has increased 400% over the last three years. Our systems have also grown in size and in complexity. For example, at KU we have 275 number of library computer and wireless ports in ten physical locations. Library computers at KU interact with dozens of other campus networked servers and telecommunications systems and thousands of remote computer services each day. Maintaining these systems have stretched our staff and our resources to the brink.

Due to the complexity of this environment, we must carefully evaluate the need and usability of any piece of software we deploy. It is tempting to believe that the cost of deploying a piece of software is the price on the box or the internet screen when we make the purchase. Nothing could be further from the truth. When we install software on our computers we must ensure that it "plays well" with the other software on the machine and the campus network (in and of itself a very complex system). And once we ensure that this issue has been resolved we move to the other fact of our environment; it is constantly changing. As we install new versions of software, as we install operating system computer security updates our staff are required to check and solve the problems created by every piece of software in existence on the machine. This environment results in cost factors significantly beyond the mere price of the software. In fact, the cost of the software program itself tends to be at most *one-third* of the total cost of deployment. Many times that ratio climbs to less than *one-tenth of the total cost*. The State Librarian estimated for the committee a cost of \$1,000 per machine which appears to me to be a conservative estimate for a library with a multiple workstation environment. In the complex environment of a university size system I estimation of the cost climbs to \$1,800 per machine. The Regents institutions have 1,269 public machines in their libraries, bringing the three-year impact cost

Hs Federal & State Affairs

Date: 3-11-03

Attachment # 2

Page 1

to \$6,800,000. Therefore, deploying filtering software would have a substantial fiscal impact on Regents institutions. Given the difficult funding situation of our institutions, indeed the entire state, it would appear that any software deployment should be carefully justified.

Speaking for the University of Kansas, I support the committee's goal of protecting children from exposure to obscene material, pornographic material, and other material that is appropriate only for an adult audience. However, the University does not believe that the provision of internet filtering software in our libraries will address this goal. Studies by Consumer Reports and the Kaiser Family Foundation have documented well the fact that most of the filtering software generally available simply does not block much of the material that it is intended to block. As an information technologist, I am well aware of the limitations of machines to actually "think like people." The literal nature of computer code poses many limitations on fulfilling the purpose of limiting access to a disparate set of content. The technology is simply not sophisticated enough to perform the job well.

I am aware that the committee has received written testimony from the FilterLogix Company that outlines enhanced capabilities of their filtering software. I have reviewed the technology white paper that this company provides on its website. It is clear that the performance of filtering technology may be improved by the use of context-based word mapping and in making logical assumptions about the content of a Web-page due to its length, the technology of the images, and the associated links. However, this firm does not provide sufficient information to determine the exact nature of the matching process (most likely because they wish to keep this process proprietary), or the underlying assumptions for the claims. Therefore it is not possible to verify their claim of 99% accuracy. It is obvious that any filtering software provider stands to gain financially from the passage of this bill and therefore the committee should judge their contributions in that light.

The University of Kansas creates and maintains a library environment meant for the instructional and research needs of its faculty, students and staff. This material is, by its very purpose, created by and for an educated adult audience. While we invite minors into our libraries, in such programs as the high school debate program, high school honors programs, etc. we do not build our collections or our systems to serve these populations. We believe that parents and teachers bringing students into our environment understand its purpose and supervise its use accordingly. The University believes this to be the most effective and cost efficient approach to our joint goal. Given the cost of the deployment of filtering software and its historic ineffectiveness, the University of Kansas would not choose to deploy this technology in our libraries. If 2420 is forwarded to the House floor in its present form, the University will oppose the passage of this bill. The Board of Regents shares the University's concerns as outlined in my testimony.

The University believes that librarians and their supervisors, whether they are an academic administrator or a local library board, are best suited to make decisions about access to information in their individual libraries. These decisions can be solidly based in the mission and purpose of the individual library and the needs of the relevant community. I encourage the committee, on behalf of the University of Kansas, to continue to allow local decision-making in this area.

Since the opening of our Technology Training Center, library staff have presented dozens of training sessions instructing customers on the best ways to make effective, efficient and responsible use of our electronic resources. "Parents' Guide to Child Safety on the Internet" courses are taught in the Technology Training Center as well as in several of our branch library locations. The evaluations we receive at the end of each training session -- and the increasing number of waiting lists for available spaces in these sessions -- tell us that our approach is one that appeals to our Library's clientele.

Do our policies and procedures ensure beyond any shadow of doubt that a customer cannot or will not attempt to view inappropriate materials from within our facilities? Regrettably, no. But does our staff promptly address each and every abuse of our acceptable use policies that is brought to our attention so as to minimize the effect of that misuse for other library customers? Absolutely.

I share these details with you because I want you to understand how heavily our library relies upon electronic information and how significant the burdens of this proposed legislation would be for our library system.

Because the Library employs students starting at age 16, compliance with HB2420 would require the purchase, installation and ongoing support of filters on every public and staff workstation in each of our library facilities. Depending on the product selection and type of installation, this would cost our library anywhere from \$7,850 to \$20,000 in costs for hardware and/or software. Our Library has absorbed \$22,000 in reductions in state grants-in-aid funding because of cuts to the State Library budget and faces as much as an additional \$432,000 reduction in current year funding because of the loss of demand transfer dollars to the City of Wichita. Library staffing remains at 40% below identified standards for a community of our size. Difficult choices have been made on the part of our staff, our board and our City Council that will result in reductions in library service including the elimination of a branch library in order to reduce current year expenditures. We believe that focusing the remaining dollars in our overstretched budget on the needs of increasing numbers of unemployed citizens, increasing numbers of families seeking use of the library as a free source of recreation and entertainment and the numerous small businesses that rely on our resources in order to continue their operation is more appropriate than diverting dollars to the purchase of unnecessary and ineffective filtering tools.

This calculus does not even begin to account for the as-yet-unknown cost of conferring a private right of action upon individuals or groups who do not agree with this approach. Section b(2) of this bill permits the vagaries of the litigation process, not sound public policy, to dictate its application and enforcement.

Even if our library were to implement filtering to the greatest degree possible, HB2420 gives us no assurance that it would be enough to protect us from litigation. In anticipation of the need to comply with the Children's Internet Protection Act as adopted by Congress, library staff conducted an investigation of filters and were afforded an opportunity to test filters installed in a location where we had been assured that the configuration was as complete and restrictive as possible. It took one of our testers less than ten seconds to locate and display images much like those this act intends to prevent. We have no reason to believe that the addition of filters to library workstations would result in greater protections for our customers than the acceptable use policy already in place. There is no fool-proof way we can ensure that computer users will not be able to access information of the kind you intend to discourage short of removing the computer workstations and electronic access altogether.

Testimony Concerning HB2420 Before the House Committee on Federal and State Affairs

My name is Tim Moore, President of the Wichita Public Library Board of Directors. I come before you today on behalf of the City of Wichita as well as the members of our Library Board of Directors and Friends of the Library Board of Governors in opposition of the changes proposed in HB2420.

The Wichita Public Library takes seriously its mission of addressing the information needs of children and adults and providing equitable access to information for our citizens. To accomplish this mission we provide materials in print, non-print and electronic formats. As you might expect, the category of information that is most rapidly increasing in interest and use by our customers is electronic information. We have offered public access to the Internet since January of 1997. Through the generosity of the Bill and Melinda Gates Foundation, public access workstations within our libraries more than doubled in 2000 and have increased again as larger branch libraries have been established in north and south Wichita. 62 public workstations with Internet access are now in place in Wichita Public Library locations with 20 additional ones projected for installation within the next few months. In total, more than 240 workstations with Internet access are in place in Wichita Public Library facilities, supported by two employees (1.5 FTE). Access to electronic information has become particularly important as unemployment has risen across the state, and we find an increasing use of the library's electronic resources by those looking for work, whether through electronic job listings, or writing and posting a resume.

From the very beginning of our decision to include electronic information in our service mix, customer access to that information has been governed by strict acceptable use policies and procedures. On three occasions during that past six years, the Board of Directors has made revisions to the Library's Acceptable Use Policy to clarify expectations about what is and what is not appropriate use of our electronic resources. Examples of inappropriate use include the display of any visual images containing obscenity or gratuitous violence, using an Internet access station to display or disseminate sexually explicit or sexually suggestive material as well as any illegal activity, unethical misrepresentation or any form of harassment.

The Wichita Public Library does not use filtering software on its public access workstations because we believe that the best way to encourage responsible use of our resources is through education and personal responsibility, not through restriction. Our "Kid's Web" page includes search engines that index age-appropriate resources for children. Employees are trained in the parental control options available within the search engines and portals we list on our web pages and are always willing to assist customers who choose to make use of these features. Just as with our print and media collections, we encourage parents to be involved with their children's access to the Internet and we provide parents with the option of restricting library Internet access for their minor children. The logistics of our library Internet access also provides protection and security. No library patron can use an Internet-accessible library computer without first "checking in" his or her library card for that use. Because we believe that the first line of defense is informed and involved parents, teaching their families to act responsibly, no minor can obtain a library card, required for the use of any library services, including the Internet, without parental approval. Under the Library's policy, all customers are held responsible for using the Internet appropriately, reflecting the Library Board and staff's conviction that the best protection for our Library's customers is to teach them to use the Internet responsibly.

Hs Federal & State Affairs

Date: 3.11.03

Attachment # 3

Page 1

March 10, 2003

Our library takes great care to create and deliver high quality programs and services to our customers. We believe the measures already in place do as much, if not more, to ensure adequate protections for minors and appropriate use of our electronic resources than Internet filters. We believe directing our limited financial and staff resources toward fulfilling the pressing information needs of our community will accomplish more than using them to impose technology that is decidedly imperfect, and readily-evaded by the determined. To place filtering software on a computer, and walk away, can be an exercise in complacency and is unlikely to accomplish the intentions of this act. We urge you to oppose this initiative. Thank you for the opportunity to discuss this matter with you today.

Tim Moore, President
Board of Directors
Wichita Public Library

Attachments:

1. Internet Acceptable Use Policy
 - a. Procedures for restricting Internet access for Minors
2. Kid's Web Sample Page
3. Technology Training Center Class Schedule

Wichita Public Library *Internet Access & Acceptable Use Policy*

Internet access is available on selected public workstations for all users of the Wichita Public Library. The Internet is viewed as a resource to be used in the fulfillment of the Library's mission as stated by the Library Board.

Wichita Public Library will provide access at no cost through "browser" software. There will be a charge for printing. Users may access the World Wide Web and the terminal and file transfer services available through it. The Library does not provide electronic mail accounts for patrons or access to newsgroups.

Access to the Internet is compatible with the Library's endorsement of the Library Bill of Rights, the Freedom to Read, and the Freedom to View statements from the American Library Association.

The Wichita Public Library has no control over the information accessed through the Internet and cannot be held responsible for its content. As with other library materials, restriction of a child's access to the Internet is the responsibility of the parent or legal guardian. The Library does not monitor an individual's use of any sites except when material displayed on the screen is not appropriate in a public environment. As all Internet workstations are in view of other patrons and staff, users are not permitted to display any visual images containing obscenity or graphic violence.

The Internet connects users to electronic data resources outside the Library. The Wichita Public Library has no control over these resources nor does the Library have complete knowledge of what is available on the Internet. Information from the Internet may be reliable and current or inaccurate, out-of-date, and at times unavailable.

The Wichita Public Library is responsible only for data in files created and maintained by its staff. Resources available through the Internet may contain material judged by some as controversial or inappropriate. The Library does not monitor an individual's use of any sites except when material displayed on the screen is not appropriate in a public environment. Patrons use the Internet at their own discretion. Parents and guardians of minor children, not the Wichita Public Library, are responsible for their children's use of the Internet through the Library. Parents are expected to monitor and supervise their children's access to the Internet; the Library's staff cannot provide this supervision.

The Library has no control over computer programs available through the Internet. Any loss of data, damage, or liability that may occur from patron use of programs obtained through library access is not the responsibility of the Wichita Public Library.

Inappropriate use of Internet access will result in cancellation of the individual's use of this service. Examples of inappropriate use include, but are not limited to, the following:

- Displaying any visual images containing obscenity or graphic violence;
- Using an Internet access station to display or disseminate sexually explicit or sexually suggestive material;
- Attempting unauthorized access to restricted or confidential systems;
- Tampering with computer hardware or software;
- Violation of software license agreements and copyright laws;
- Violation of another user's privacy;
- Any illegal activity, unethical misrepresentation or any form of harassment;
- Use of library workstations for other than their intended purpose.

Illegal acts involving library computer resources may also subject the user to prosecution by local, state, or federal authorities.

Library computer stations are for designated access only; users may not run programs of their own or programs downloaded from the Internet on the Library's computers.

The Library reserves the right to terminate an Internet session at any time.

Library staff will offer searching suggestions and answer questions, but cannot provide individual training concerning Internet use or computer skills. Interested patrons are encouraged to use manuals and guides available in the Library, and to attend Library sponsored programs about Internet use.

The Wichita Public Library's staff will develop such rules and procedures as are necessary to insure the fair and reasonable use of Internet resources.

For more information about the Wichita Public Library's policies and procedures concerning access to the Internet, please contact:

Cynthia Berner Harris
Director of Libraries
223 South Main
Wichita, KS 67202
316-261-8520 (voice)

cberner@wichita.lib.ks.us or cberner@wichita.gov

Internet Access Restriction Form

WICHITA PUBLIC LIBRARY

P _____

I request that _____ be restricted
from all access to the Internet.

Signature of Parent or Guardian

Procedures for Restricting Internet Access for Minors

Parents or legal guardians may request that a minor be denied Internet access.

At branches, parents will be referred to the Circulation desk. At Central, they may be referred to either the Circulation desk or to the service desk in the Children's Room. Parents will be asked to fill out the above form by designated staff at these locations.

A "see supervisor" block will be placed on the minor's card. The content of the block should read, "Internet access prohibited per parental request."

The forms will be forwarded to Central Circulation by the branches or Children's Room. Circulation staff will attach the form to the original registration card.

Change The Background Color

- White
- Orange
- Blue
- Yellow
- Green
- Purple
- Pink



WICHITA PUBLIC

- Tips for Parents
- Just for Fun
- Find a Site
- Research



WICHITA PUBLIC LIBRARY

Tips for Parents

Internet Safety

[Kids Connect @ the Library](#)

[My Internet Safety Rules](#)

[700+ Great Sites for Kids from American Library Association](#)

Children's Library Programs

[Calendar of Events](#)

Parenting

[Parent Soup](#)

[Scholastic Especially for Parents](#)

Reading

[Notable Books for Children](#)

[World of Reading](#)

[Helping Your Child Learn to Read](#)

[Suggested Authors for Children](#)

[Suggested Authors for Young Adults \(6th-9th grades\)](#)

Homework Help

[How To Do Homework - Library Resources](#)

[Help Your Child With Homework](#)

[Kids: Help the Library Help you](#)



Wichita Public Library
[Site Map](#) | [Your Library](#) | [Reference](#) | [Readers Page](#)

March 11, 2003

Members for the House Federal and State Affairs Committee:

Thank you for this opportunity to address some of the issues surrounding HB 2420. My name is Rosanne Goble and I am the Executive Director of the Kansas Library Association. However, the most recent position I held prior to December 1 of last year was Director of the Dodge City Public Library and the Southwest Kansas Library System. Many of the issues I bring to you today are a result of practicing librarianship in that capacity and as consultant and director of the regional library system in Southwest Kansas for the past 12 years. I am very familiar with issues rural and small libraries face.

From 1992 through 2002, I was instrumental in bringing the Internet into remote areas of this state. I worked diligently with telephone companies, and with economic development groups across 21 counties to ensure rural datafication. I did this because I firmly believed that the Internet could equalize the opportunities for rural communities in education and business. I worked closely with library directors, library board members, local economic development groups, and schools to bring in to communities at least a dial up connection, and in some cases community technology projects that ensured high-speed, reliable, and affordable Internet access. Those in libraries in SW Kansas and across the state were some of the first to embrace the idea of the Internet as a tremendous resource and for business purposes. Librarians in rural and small libraries realized that they now had available and could make available to the public resources they could never afford to buy or house, and resources that would never be in print form and would only be available on the Internet. During these 10 years I watched libraries with very small budgets struggle to make the equipment and software purchases to ensure access to valuable resources. There are cases in the state where there is only one computer in the library and its designated use is for library users of any age. In libraries with two or several computers in one room, it is not feasible to relegate one for adults and one with filters for minors. This bill would be a serious practical problem in libraries this size.

The very notion of filtering is diametrically apposed to the philosophies and attitudes of those who worked hard to bring Internet access into these small towns. The cost of filtering software would place yet another burden on these small and already stressed budgets. I can think of no other group than librarians who stretch the tax dollar to the ultimate the way they do, and have done long before this current budget crisis.

As part of the rural datification initiative, regional library directors and consultants, along with the State Library and the School of Library and Information Management at Emporia State University, educated their member librarians regarding electronic access and acceptable use policy and addressed the issues of access to obscene and harmful to minors materials that could be found on the Internet long before "concerned citizens" made it an issue. I worked closely with attorneys, library directors, and library board members to make certain an understanding was gained for the necessity and the value of well-written policies that were adopted by library boards and successfully implemented by library staff.

Hs Federal & State Affairs
Date: 3-11-03
Attachment # 4
Page 1

Librarians and library board members ARE proactive on this issue. They have worked to address the problem of access to pornography and understand the value of a well developed and approved policy that addresses those few cases where individuals depart from the normal use of the Internet. I see this bill as assuming librarians intentionally want to provide obscene materials to minors, and I know of no librarian who wants to do that. It is simply not the case to intentionally want to provide it. Library directors, board members, and community leaders ARE sensitive to the issue and wishes of parents and I see librarians in libraries of every size work to nurture and educate children and young adults to the wonderful resources on the Internet, and to use the Internet as a tool to promote reading, whether it is a book, or on a computer screen. Summer reading programs now include Internet resources and summer activities (as do year round programs) promote the good and healthy materials that can be found. A degree of supervision, careful education, and well-crafted programs can effectively eliminate minors accessing inappropriate materials. As professionals we have learned to recognize and address the concerns of staff, parents, and those who serve children to make available appropriate materials for minors, and we have learned to successfully do that with effective acceptable use policy.

I believe libraries are a "safe place" as a result. That is why 82,000 children in Kansas participated in the 2002 summer reading programs offered by local libraries. Parents would not have allowed their children to participate in these programs had they not felt libraries were a "safe place." I do not believe this is as large a problem as this piece of legislation makes it to be.

Public libraries, and in this bill, any library (including academic and even private research libraries that receive grants) receiving public funds are under pressure from a small community group who perceive this as a problem and feel filtering is the answer. Filtering on machines that minors use will not make libraries any safer than they already are.

There is conflicting evidence and even a lack of evidence from a wide variety of libraries on information loss directly as a result of filters. Another issue that I faced as Director of the Dodge City Public Library revolved around library services to those in the Spanish speaking community. The Internet computers in the children's department were used by those who are bi-lingual, by those who only speak Spanish, and by those who only speak English. There would be huge technical problems with installing different language specific filters on the same machine. There would be software incompatibility issues with installing different filters in conjunction with the local automation system that houses the digitized holdings of the library and is integrated with the Internet. And there would be inequity in access issues if language specific filters were on only certain machines. It would not have been appropriate for us to designate use to certain machines by ethnic origin. In this situation I would not be able to endorse filtering, and therefore could not endorse this bill.

I have included a copy of the Kansas Library Association Statement on Internet Filtering. While filtering is discouraged, the statement allows for the decision to filter be made at the local level. That is because we have learned that the role we play as librarians has to be balanced against a professional duty of providing library service to meet the needs and the interests of ALL users in the community, and that decision should be based on local community needs, not on the pressure of a few whose perception of the problem is skewed and emotional.

In closing, I would like to invite you, and to encourage you, to visit your local library the next time you are home.

Again, thank you for allowing me to address some of the issues in HB2420. And, thank you for considering these issues.

KLA Statement on Internet Filtering

The KLA Council adopted the following at its meeting on 16 June 1998.

The Kansas Library Association recognizes concerns regarding access to the Internet. The use of Internet filters to prevent such access has been widely suggested, but poses many problems for libraries. Filters can block valuable information, thus preventing the library from fulfilling one of its prime missions. In addition, filters may prove unconstitutional in public institutions, since some of the information they block is constitutionally protected speech.

The Kansas Library Association does not recommend the use of Internet filters in libraries and emphatically opposes attempts by federal and state governments to mandate their use. We believe that decisions regarding use of Internet filters must remain with local boards.

[Return to KLA Home Page.](#)

Last modified: 28 Jun 2000
Please send comments to [KLA Webmaster](#)



Mr. Chairman, members of the committee, thank you for allowing me the opportunity to come before you today and address **House Bill 2420**. My name is Blake West and I am a teacher on leave from the Blue Valley School District while serving as Vice President of Kansas NEA.

Internet filtering systems have not been found to work effectively. Indeed, no filtering system reliably blocks objectionable content. All such systems have the same problem in that they prevent access to highly relevant content for school work and academic research. While the examples are plentiful, just consider the attempts to research such topics as "breast cancer." In another high-profile example, a Beaver College in Beaver, Pennsylvania was forced to change its name when it was found that filtering systems in use in many high schools blocked students from exploring the college over the internet.

Filtering systems provide a false sense of security that may lead to under-supervision of children as they use the Internet. Since such systems have been found to let objectionable materials through as well as block appropriate sites for academic research, librarians might become overly dependent on the filtering software for keeping children safe from objectionable material. There simply is no replacement for the oversight and supervision of librarians.

Filtering and blocking rely on the "judgment" of the software producer to determine what is inappropriate rather than the professional judgment of the teachers and parents of the student. Because of this, filtering in libraries creates a barrier to learning. I would refer again to the filtering systems that block access to sites containing the words "breast" or "beaver" which I referred to earlier. With the filtering and blocking now required in schools, libraries remain the only place that students can conduct effective research under the supervision of qualified adults such as library media personnel.

There are better solutions to protecting students from inappropriate content. The only effective system that allows access to needed appropriate content is for educators and library media specialists to monitor student use of these resources. Even if blocking were in place, this supervision is still a necessity since the blocking software doesn't really work to effectively screen out inappropriate material. Adult supervision is needed. The only way to ensure local control of decisions about appropriate content for children is to make those decisions at local schools and libraries.

In summary – filtering and blocking doesn't work. Such systems let through inappropriate material and prevent access to relevant material. Students need a place where they have access AND receive appropriate adult supervision during their use of the internet. We would urge you not to pass out **HB 2420**.

Hs Federal & State Affairs

Date: 3-11-03

Attachment # 5

Page 1



Testimony on
HB 2420
Before the
Committee on Federal and State Affairs

by

Donna L. Whiteman
Assistant Executive Director/Attorney
Kansas Association of School Boards

March 11, 2003

Mr. Chairman, Members of the Committee:

Thank you for the opportunity to appear in opposition to H.B. 2420.

While no one supports children accessing any type of pornography, H.B. 2420 contains very broad language that could create more legal problems than it attempts to solve. Following are several issues the Committee may want to consider:

1. The definition of electronic material harmful to minors contains the phrase "sexually harassing" in the library environment. "Sexual harassment" is, at times, hard to define even though the elements of it are defined as unwanted, unwelcome sexual or gender based behavior that occurs when one person has formal or informal power over another.
2. "Internet filtering device" defined in Section (2) could encompass one of several types of filtering devices. I have attached an article from the National School Boards Association that suggests narrowly configured Internet filters can block students' access to legitimate health information. This is of significance as the Kaiser Family Foundation found that 70 percent of 15-17 year olds have used the Internet to locate health information.

Hs Federal & State Affairs

Date: 3-11-03

Attachment # 6

Page 1

3. Section 4(b)(2) creates additional litigation opportunities against public entities. It would result in public entities having to hire legal counsel to defend mandamus and injunction actions brought in the district court.
4. Finally, it is important to note that the First Amendment standards that apply to schools are different from those used to access the actions of governmental entities.

On March 3, 2003, a Federal Appeals Court in Philadelphia held that the Child Online Protection Act (COPA) unconstitutional finding that it suffers from a series of fatal flaws because it was not narrowly tailored to avoid infringing on the free speech rights of adults.

This is the second Third Circuit case declaring COPA unconstitutional and is a reminder that there are numerous groups ready to challenge any overly broad language that may infringe upon First Amendment rights.

The Third Circuit prior decision in *ACLU v. Ashcroft*, held that COPA was flawed because it calls for Internet content to be judged on "community standards" and would subject Internet providers in even the most tolerant communities to the decency standards of the most puritanical. The U.S. Supreme Court reversed finding that the single flaw identified by the Third Circuit was not enough to declare the law unconstitutional.

Thank you for the opportunity to appear before you today.



FEDERATION FRN FOUNDATION CUBE NATIONAL AFFILIATE SCHOOL ATTORNEYS TLN CAUCUS

Education Technology

[About NSBA](#) → [Site Map](#) → [Contact Us](#) → [Help](#) →

[Home](#) // [ITTE](#) // [Publications](#) // [TL News](#) // [2003 Highlights](#)

- [About ITTE and Technology Leadership Network](#)
- [What's New](#)
- [Technology Leadership Network](#)
- [Small Meetings and Site Visits](#)
- [T+L² Conference](#)
- [Online Courses](#)
- [ITTE Publications and Newsletter](#)
- [Education Trends & Tools](#)

[print view](#)

Jan 2003 - Narrowly Configured Internet Filters Can Block Students' Access to Legitimate Health Info

Narrowly Configured Internet Filters Can Block Students' Access to Legitimate Health Information, Says Kaiser Study
by Ismat Abdal-Haqq,
editor of Technology Leadership News

A new study, See No Evil: How Internet Filters Affect the Search for Online Health Information, concludes the level of restriction has a major impact on how much Internet filters impede young people's access to health information. "How filters are configured is critical," said Vicky Rideout, vice president of the Kaiser Family Foundation (KFF), which released the study December 10 at a Washington briefing.

According to the report, the investigation was designed to "help determine whether Internet filters are likely to block young people's access to non-pornographic health information." For schools, the importance of Internet filters increased significantly with the passage of the Children's Internet Protection Act (CIPA) in 2000.

Under CIPA, schools and libraries that receive E-rate funds are required to deploy Internet safety measures to "block or filter pictures that: (a) are obscene, (b) contain child pornography, or (c) when computers with Internet access are used by minors, are harmful to minors."

While schools remain subject to CIPA provisions, in May 2002, the U.S. District Court for the Eastern District of Pennsylvania ruled that imposing CIPA requirements on public libraries is unconstitutional because filter programs "erroneously block a huge amount of speech that is protected by the First Amendment." The court cited extensive evidence that leading filtering products overblock significant numbers of Web pages and pointed out inherent limitations in technology's ability to accurately review and

Full Text Search

Enclose phrase in " "

Search in...

Search entire NSBA site

- » [Advanced search...](#)
- » [Use NSBA Education Terms](#)

More Information for...

- [Board Members](#)
- [District Staff & Operations](#)
- [State School Boards Assoc.](#)
- [School Attorneys](#)
- [Community & Families](#)

Member Login

Username

Password

[Login Help...](#)

categorize information. The decision has been appealed by the federal government and will be reviewed by the Supreme Court during the current session.

Filter Settings Affect Access

Most filters allow schools and libraries to adjust the settings, thereby tailoring the level of blocking to suit local preferences. The study tested the six filters most commonly used by U.S. schools: 8e6, CyberPatrol, N2H2, SmartFilter, Symantec, and Websense. A widely used product on home computers, AOL Parental Controls, was also tested. Each filter was assessed at three levels: least restrictive, which blocks only pornography; intermediate, which blocks some additional categories such as nudity and discrimination; and most restrictive, which blocks many additional categories like profanity, drugs, and alcohol.

Using six popular search engines, the investigators ran Web searches on 24 youth-oriented health topics in four categories: health topics unrelated to sex (e.g., diabetes, suicide, alcohol); health topics related to sex (e.g., safe sex, STD, pregnancy); health topics involving sexual body parts, not sex-related (e.g., breast cancer, jock itch, yeast infection); and controversial health topics (e.g., abortion, rape, homosexuality). Searches were also run on a variety of porn search terms. More than 3,000 health-related URLs, which resulted from the searches, and more than 500 porn-related URLs were then tested against the seven filtering products.

At the least restrictive level, the filters incorrectly blocked an average of 1.4 percent of health sites; however, 24 percent of these sites were blocked when the filters had the most restrictive settings. Blocking of sites on sexual health issues, such as condoms and safe sex, was higher at all levels, according to a KFF statement - from 9 percent at the least restrictive level to as much as 50 percent at the most restrictive settings. Only a marginal increase in the amount of blocked pornographic content resulted from higher restriction levels - 87 percent at the least restrictive configuration and 91 percent at the most restrictive level. (See sidebar for examples of blocked sites.)

Findings Increase Concern about Unintended Consequences of Filters

the guidance merely reflects "the current state of the law" as mandated by Congress in NCLBA. Notably, on the complex and contentious issue of prayer at graduation and school functions, the Circuit Courts are split on what schools may or may not do. The Department's guidance does not appear to acknowledge this split. Instead, it suggests that districts take certain measures, such as disclaiming any endorsement of prayers, which school districts in some Circuits have found are no defense against Establishment Clause lawsuits. Ironically, the confusion may lead to an increase in complaints and litigation for those schools trying to follow two competing sets of legal authority.] Read the guidance by clicking here: Department of Education Guidance

NSBA Plans to File Amicus Brief – Diversity/Affirmative Action

When the U.S. Supreme Court accepted the two University of Michigan cases on affirmative action, it set the stage for determining whether purposeful steps to achieve a racially diverse student population can ever be a compelling state interest – a question of crucial and persistent interest in K-12 circles. *Grutter v. Bollinger*, 288 F.3d 732 (6th Cir. 2002)(*en banc*), *cert. granted*, No. 02-241 (U.S. Dec. 2, 2002); *Gratz v. Bollinger*, 122 F. Supp. 2d 811 (E.D. Mich. 2000), *cert. granted*, 02-516 (U.S. Dec. 2, 2002).

NSBA will file an *amicus* brief explaining that a diverse learning environment carries vast educational benefits for all children – a difference from higher education admission where an individual gets an advantage. Read more at the Council of School Attorneys' Web site.

NSBA Filed Amicus Brief - Filtering under CIPA

NSBA filed an *amicus curiae* brief in a Supreme Court case that does not directly involve K-12 public education but which could have significant impact on elementary and secondary schools. The case, *United States v. American Library Association*, 201 F. Supp. 2d 401 (E. D. Pa. 2002), *probable jurisdiction noted*, No. 02-361 (U.S. Nov. 12, 2002), involves the constitutionality of the filtering requirements imposed on public libraries by the Children's Internet Protection Act (CIPA).

NSBA's brief will not address the constitutionality of the CIPA provision as it applies to libraries but seeks to remind the Court that the First Amendment standards that apply to schools are different from those used to assess the actions of other governmental actors. NSBA wants the Court to avoid using any sweeping language that might be used to challenge schools' use of filters and to recognize explicitly that its past decisions would allow schools to adopt the use of filters without violating the First Amendment. Read more at the





Council of School Attorneys' Web site or at the Education Technology Web site.

NSBA Filed Amicus Brief – Student's Rights

NSBA, joined by other *amici* including several state associations, submitted an *amicus* brief in the 10th Circuit case of *Butler v. Rio Rancho Public Schools*, Civ. No. 01-0466 M/WWD (D. N. M. May 13, 2002). Although the case involves several issues, NSBA's focus is whether the suspension of a student for weapons possession, without a finding that the student knowingly possessed the weapons, violates the student's right to due process under the 14th Amendment.

NSBA is not taking positions on the full range of substantive and procedural issues disputed by the parties, and it is possible that the 10th Circuit could dispose of the appeal without addressing the question of whether scienter is required in student disciplinary cases. NSBA and the other *amici* are concerned that, in rendering its decision, the court not curtail the discretion of school officials by invalidating student disciplinary policies and actions that lack a scienter requirement or finding. In the only other circuit court case addressing the issue, *Seal v. Morgan*, 229 F.3d 567 (6th Cir. 2000), the 6th Circuit ruled that disciplining a student for unknowingly bringing a weapon to school violates substantive due process, because it bears no rational relationship to the legitimate state interest in school safety. NSBA and the other *amici* emphasize that different constitutional standards apply in the public school setting than in other contexts, such as criminal law, and that the law calls for judicial deference to school authorities on matters of educational policy and school safety, even where a court may doubt the wisdom of a school's policy, such as the one here holding students accountable for knowing what they bring onto school grounds.



© 2003 National School Boards Association

1680 Duke Street, Alexandria, VA, 22314

Phone: 703.838.6722 Fax: 703.683.7590 Email: info@nsba.org

[Privacy Policy](#) | [Terms of Use](#)

[Site Index](#)

Testimony offered in opposition to House Bill 2420

by James McHenry, Ph.D.

May 11, 2003

Thank you Mr. Chairman, Members of the Committee:

My name is Jim McHenry, and I serve as the development director for the Topeka and Shawnee County Public Library and the executive secretary of The Library Foundation. The views I express today are my own, and they are drawn from my five and one-half years in that role as well as my prior public service experience.

I served as the Kansas Commissioner of Alcohol and Drug Abuse Services from 1983-87 and then became the executive director of the Kansas Child Abuse Prevention Council where I worked from 1988 to 1993. Having led my organization into a merger with the Kansas Children's Service League, I served as an associate executive director for three more years promoting prevention programs. I remain proud of the role I played in bringing significant programs for children and families to our state, including Parents as Teachers and the Healthy Families America Initiative. And since conferees yesterday cited this credential, I'm also proud to share that last year I became the grandfather of Evan Michael McHenry, born in Concord, New Hampshire on the fourth of July.

While I have no doubts regarding the good intentions or the sincerity of the proponents of HB 2420, I do not believe this bill represents good public policy. I was struck by the fact that the proponents devoted so much of their time yesterday to addressing presumed objections to their proposal rather than making their case. **While no caring person wishes children to be exposed to pornography in a library or in any other setting, it is by no means clear to me that this proposed legislation would effectively advance that cause. By presuming that their case is somehow self-evident, they are asking us to assume the existence of a problem that is beyond the capability of local library governing boards to address. The testimony I heard yesterday offered no compelling evidence either that the problem is widespread in Kansas or that local libraries are incapable of addressing it.**

I would ask you to consider the possibility that HB 2420 is an ill-advised solution that carries potential unintended consequences. In its present form, it very much resembles an unfunded mandate, a legislative strategy that is justifiably resented by states and local governmental units when imposed by federal sources. I believe other conferees will address these issues in more detail, so I'll move on, asking only that you critically examine Mrs. Borchers' claim that this bill is "a common sense approach."

Another of Mrs. Borchers' unsubstantiated contentions that especially deserves critical public debate is that "local control is a fiction." Because the Board of Trustees of the Topeka and Shawnee County Public Library did not embrace her recommendations, she has chosen to write off these public servants (and by implication those citizens serving on library boards all across this state) as being both derelict in their duty and deficient in their concern for children. My own view is that this assertion is not only factually inaccurate, it also does a great disservice to these conscientious volunteers. **Given the important role you play as legislators, I hope you share my view that it is a**

Hs Federal & State Affairs

Date: 3-11-03

Attachment # 7

Page 1

Testimony offered in opposition to House Bill 2420

by James McHenry, Ph.D.

May 11, 2003

-2-

serious error to infer that a difference in philosophy and approach equates to a difference in commitment to the well-being and safety of children.

For the past five years, I've observed the work of the Topeka and Shawnee County Public Library's board of trustees at close range. It is a group that is racially, economically, and socially diverse; it counts among its members two retired educators, a college administrator, several corporate officers and private entrepreneurs, and two attorneys.

These citizens took the time to carefully consider input from Mrs. Borchers as well as from other citizens who opposed her position. They reviewed policies from other libraries and considered research and information on technological aspects of the Internet and the challenges of filtering. Having carefully studied the issues, they adopted a policy they felt represented a good blend of practicality, legal defensibility, and good stewardship.

These are also the good folk who worked with David Leamon and his staff team, The Library Foundation, and the Friends of the Library to triple the amount of space devoted to children in our renovated library, to mount innovative new programs for children, including the new Homework Center, and to host First Lady Laura Welch Bush and internationally recognized architect Michael Graves in a grand opening that brought national recognition to our community and our state. **If Mrs. Borchers and her allies intend to convince you that these volunteers lack a sense of community values--or that they lack the intelligence and courage to act upon those values and therefore cannot be trusted to serve the public interest--then they have chosen a remarkably unconvincing example.** I urge you to examine for yourself the long list of accomplishments attributable to this board before you buy into the argument that "local control is a fiction." That notion might make compelling rhetoric and play well on the air waves but it does not, in my opinion, stand up to serious scrutiny.

In fact, if you look carefully across the state, I believe you will find a pattern of conscientious citizenship to be present in most libraries, including those in your own home communities. Some of you have probably served on your library boards, or you know relatives, friends, and neighbors who have. Invariably, these are dedicated people who volunteer their time because they believe so deeply in the library's mission in their community. **The proponents of HB 2420 are asking you to believe that the legislature's judgement should be substituted for that of local library boards. I believe the performance of library boards on this issue in the recent past suggests they deserve your confidence.**

Given that the Internet has both a good and a bad side, what kind of policy will best serve our children and our society? I believe we would be wise to give up the search for a silver bullet and focus on a four-track approach. This approach would incorporate a role for filtering and monitoring, a component targeted to educational services for both

Testimony offered in opposition to House Bill 2420

by James McHenry, Ph.D.

May 11, 2003

-3-

parents and children, an expectation that parents will take a leading role in guiding their children's use of library resources, and a graduated system of penalties that are enforced when library policies are violated. Libraries need to remain open to new information, new tools, and new approaches; they need to be prepared to update and revise their policies as changing circumstances dictate. **I believe there is every reason to trust them to do just that.**

I would like to end on a hopeful note. During my tenure as ADAS Commissioner I recall sitting in a meeting one day surrounded by people who were advising me on prevention programs for youth. It suddenly dawned on me that not one person around that table was under the age of 30. Thereafter, as I travelled around the state, I instructed my secretary to book private meetings for me with groups of young people. My instructions were that I wanted a diverse group of youth, and I wanted no other adults in the room.

I learned a great deal from those meetings. Once the youth got over the shock that I was genuinely interested in what they thought, they became both candid and insightful. Two vivid impressions still linger from those meetings: **first, young people are far more discerning than we often assume; and second, they are tracking the example their parents set--both for better and for worse-- far more closely than I had imagined.** As the father of two sons who were teenagers at that time, I recall these revelations came both as a surprise and as a source of great relief.

In summary, while we want to be appropriately protective, we should not discount the assets the children themselves bring to the challenges of growing up in our troubled world. My experience suggests it is a mistake to underestimate their intelligence, their judgement, or their resilience. **As we continue to seek imaginative and effective solutions to the challenging issues posed by the Internet, we should take a measure of encouragement from the fact that children are not without their own unique inner resources. In fact, we should consult them more than we are generally inclined to do.**

Mr. Chairman, I thank you and the committee for the opportunity to share these views and for your courteous attention.

James McHenry, Ph.D.
2439 NW 35th Street
Topeka, KS 66618-1511
Tel: 785-246-1885 (home)
785-580-4483 (work)

**Kansas State University Libraries
Commentary on House Bill No. 2420**

**Presented to Kansas House of Representatives
Federal and State Affairs Committee
Tuesday, March 11, 2003**

The mission of Kansas State University Libraries is to provide information resources that support the instruction and research needs of the university community. While the library continues to acquire and provide information resources in traditional formats, user needs are increasingly served by electronic means. Journal articles, indexing and abstracting research tools and even books are now made available to libraries in formats that provide user access via the Internet. Filtering would interfere with retrieval of important research information.

The broad definition of "library" as used in House Bill 2420 would certainly include academic university libraries. This bill has the potential to draw away scarce human and financial resources from research and instruction, diminish the libraries' ability to fulfill its mission of providing information resources, and do little by way of solving the problem of "electronic material harmful to minors".

There are currently 200 public access computer workstations in Hale Library, and others in several branch library locations. This same public interface is also used by computers located in the Athletic Learning Center, in the University Computing Labs, in labs located in the dorms and in the student Union. Current data suggest that the cost to simply acquire filtering software for just those computers in the main library would exceed \$35,000, and additional expense for future revisions seems likely. Staff time would be necessary to maintain a system of this size..

Filtering technology is not an appropriate choice for a research university campus environment. Filters cannot be relied upon to effectively filter offensive material because, while they may not catch everything, they may also filter out desired research material. It is possible for legitimate research efforts to be derailed by filtering software.

House Bill 2420 would interfere with the ability of Kansas State University Libraries to fulfill its mission of supporting of academic instruction and research.

Contact:

Daryl C. Youngman
Assistant Dean for Library Administration
Kansas State University Libraries
785/532-7409 dyou@ksu.edu

Hs Federal & State Affairs
Date: 3-11-03
Attachment # 8
Page 1

Testimony to the House Federal and State Affairs Committee
on HB 2420
March 11, 2003

Good Afternoon -

I am Freda Dobbins, Director of the Pottawatomie Wabaunsee Regional Library, headquartered at St. Marys, KS. This is the only two county public library in the state of Kansas. As you can tell from the name, it covers most of Pottawatomie County and all of Wabaunsee County. These two counties are located to the west and southwest of Topeka. We have libraries in eight communities. The headquarters is at St. Marys, population - 2,220; branches at Alma, population - 785, Eskridge, population - 582, and Onaga, population - 697; the mini-libraries, as we call them, are located in Alta Vista, population - 434, Harveyville, population - 262, Olsburg, population - 189, and Westmoreland, population - 628. I give you these facts so you understand that I represent the small, rural libraries of Kansas.

When I read this bill, I was very concerned for what it will do to the small, rural libraries. I am talking about the ones that have only one person at the library during the time it is open. We are already expecting this person to be the support of the economic development of the community, to be the health information resource for the community, provide the recreational reading and as well the instructional reading for the community, provide information for the small business man - this includes the farmers and ranchers, and to provide for all other information needs of the community. Now you are asking that the library staff and board become the parents to all of the children of the community. And all of this is to be done on a very limited budget which now is being cut even more.

It has been hard enough to find reliable, dependable employees at our libraries when we are competing with the market places of Topeka and Manhattan, not to mention the many casinos in Northeast Kansas. With this bill I think it would become almost impossible to hire the type of employees that are needed at the Library. When I would have to explain to them that not only did they have to handle the locating of books and other materials the community needs, be the janitor for the library, keep all the records required by modern-day world, and help the children learn to love to read, they are now subject to being sued if some member of the community happened to dislike what they saw on a computer, even if the Library had a filter in place.

In addition, since most small libraries are fortunate to have one computer for public use, the library staff member would have to be continually changing the computer from a filtered computer for a child, to a non-filtered computer for an adult trying to find legitimate information. And all the time trying to not worry that they could be sued at anytime.

My other large concern on this bill is locating people to serve as Board members. You who represent small communities surely are already aware of the problems that all community services have in finding volunteers to serve. For library boards, especially ours, that requires not only the time of the meetings, the studying of issues to provide sound judgements on them, but also requires an hour's drive on the part of many of the members of the board to arrive at the Board meeting. Now these Board members are going to be told they can be sued by anyone in the community not happy with what they happen to see on a computer. The last Board vacancy we had required a 4-month search to find a person qualified and with the time to be a good library board member. If this bill were to become law, I am afraid that the search might be fruitless. People in small communities who are willing to give of their time and talents for the betterment of the community are already scarce.

Please do not add this bill to the backs of those trying to help the small communities not only to survive, but to be a viable part of the state.

I would urge that this bill be killed and the local library boards and staff be allowed to continue to provide the library service needed in their community. For many of the libraries, that already means having some type of filter in place and for all libraries it means being attuned to those who live in the community. No local library board wants to spend time or money on items not wanted by the community.

Thank you for your time.

Dianne Yeagley

I'm a taxpayer, wife, stay home mom with three son's ages 9, 5 & 1 ½ years, part-time student and a user of the Topeka and Shawnee County Public Library.

I oppose HB 2420 (Children's Internet Protection Act).

- I'm a long time user of the TSCPL, because of everything they offer for my family and myself. We use:
 - Bookmobiles
 - Gallery
 - Read Aloud program
 - Children's computer programs
 - Summer Reading programs
 - Puppet Shows
 - Education and craft days
- My husband uses the Internet to access hunting and wrestling material.
- I use the Internet for my continuing education.
- My children use the computers in the Children's area for their games.
- I see the library's focus **is** on children. Why? Because it is a place kids want to go. My kids do! I'm proud to refer parents to bring their kids to the library. Why? Because the variety and magnitude of books they carry and the professional staff. How about the Lego's, for the scattered books on the floor, for the large soft cushion books they can lay on to read, talk and share ideas with others, shelves low enough for kids to reach, summer activities, stained glass windows lighted by the evening sun, the café and so much more. If you haven't been there in a while, you should go. It is a pleasant place to go.
- I have been around when the library only had 4 Internet computers. Today there are over 175 computers. I do not see abuse. The children's area and young adult computers **are** filtered.
- The staff is trained. They are trained well to handle possible abusers. I have seen people taken out of the building. The staff knows these people. I feel safe there with my children. Anyone thinks differently hasn't seen what I have seen.
- The Administration and staff achieve excellence in my book!
- Do I trust my children at the Library? **ABSOLUTLEY!**
- I am not in favor of the bill, because there is not a problem!
- Thank you

Good afternoon Mr. Chairman and committee members.

My name is Robert Banks. I am the Deputy Director of Operations at the Topeka and Shawnee County Public Library and have been employed at the library for thirteen years. I am here to speak in opposition to House Bill 2420.

One of my duties is to establish procedures that staff will use to implement Library Board Policies and Federal and State laws that pertain to libraries.

At first reading of HB2420, I was confused as to the need for this legislation. Our library currently filters all of the computers in the Children's area and we have a strong Internet policy that doesn't permit viewing materials that are harmful to minors on any library computer. This doesn't mean that people don't occasionally choose to violate this policy. When someone is discovered violating this policy they are told that they must leave the library for that day and are escorted to the door by library staff and off-duty police officers and an internal incident report is filed. If they return and again violate the policy they are banned from the library for progressively longer periods of time. If they return during the time that they are banned, they are arrested for criminal trespass. We have had people arrested in the past and will do so in the future since we take the protection of all library patrons seriously. After spending three months reviewing information about filtering and the Internet, our Board of Trustees determined that we were following Board policy and we were doing an excellent job of implementing that policy.

Upon repeated reading of this bill, I determined that in order to comply with the language of the bill, we would be required to physically separate children from the computers used by adults because the bill does not allow us to limit the access of adults to the Internet.

At the Topeka and Shawnee County Public Library we have areas for children and for young adults. All of the computers in those two areas are filtered by Cybersitter, a reputable, widely available filtering software. I believe that HB2420 would require us to restrict anyone under the age of 18 to those two areas and not allow them physical access to the remainder of the building where unfiltered computers can be found. This would seem to be a straightforward situation. However, there are hidden costs to this situation.

Due to the physical arrangement of our building, in order to assure that no child has access to the computers in the general collections in the rest of the building; we would need to build some sort of barrier between the children's area and the rest of the library. As well as the expense of the barrier, there will be an impact on our evacuation plan for fires and other emergencies.

We would be forced to fire most of our shelving staff as the majority of them are high school students, under 18 and therefore, unable to shelve in any area except the Children's sections of the library. Shelving has been a traditional job for high school students for many decades. We will need to find enough staff over 18 to shelve in the other areas of the library.

It would be necessary for us to have staff posted at the barrier and anyone who was defined as a child by this bill would have to go to the children's area. This would include small children with their mothers. We do not provide baby sitting for parents who use the library and therefore we would be forced to require parents to stay with their children and go to the children's side as well, where the adults would not have access to unfiltered computers or other materials that they might legitimately wish to access.

Libraries in Kansas have a long history of concern for our children. The Topeka and Shawnee County Public Library has served children for over 134 years and believe that we have been at the forefront of programs for children and parents. We have many programs that encourage interaction with parents and children and even provide classes to teach children and their parents, sensible techniques for using the computer and accessing the Internet. These classes have been offered for three years and we only have had nine people attend those classes, which would indicate a low level of concern by our constituents. We also provide safe surfing classes for adults which are very popular.

I believe that the policy developed by our Board of Trustees, which is reviewed on a regular basis for currency, protects not only our children but it protects everyone. None of us at the library want to be exposed to inappropriate sites and we do not believe that it is necessary for adults to access inappropriate sites in a public setting.

Many librarians are parents as well and understand, on a personal level, the desire to provide quality experiences for our children. Librarians are educated and trained experts at managing information. Historically the library is the institution the public turns to and trusts to provide the services it needs for education, research and entertainment in all formats, from our pamphlet files to the Internet databases. We willingly put our reputation on the line each and every day with this public trust. No one has a more vested interest in making sure that this technology is managed correctly.

We have a number of home schoolers who use our library for many purposes. Recently, a group made arrangements to take their standardized tests at the library. These tests are taken online through a national web site. We set them up in our homework help center only to find that the national website was blocked by the filtering software. We do not know why it was blocked, but ultimately had to take them to another part of the library with unfiltered computers so that they could take their exams.

Every year more and more information is only being published in electronic format and is no longer available in hard copy. If we restrict our children from accessing the latest information, we will seriously hamper their ability to function in the world.

This type of issue is best dealt with on a local level by those who are familiar with the local community and with how the local library operates, in other words, the

governing board of the library. I urge you to vote against this legislation and allow those on the local boards to handle this on a local level.

Thank you for your time.

Mr. Chairman. Honorable members of the committee. My name is John Opgaard. I am the Automation Manager at the Topeka & Shawnee County Public Library. My responsibilities include providing Internet services on all 170 public computers in the Library. I have been working in library automation for over 10 years including the past three and a half years at the Topeka & Shawnee County Public Library. I will speak in opposition to House Bill 2420.

Prior to the completion of the expansion of our building, the Library had only 6 public Internet computers – 4 in the general collection area and two in youth services. In late 2000, I was asked by our Executive Director to update the Public Computer Use Policy for our Board of Trustees. This policy had been in place since 1985. After extensive research, I drafted a policy that incorporated guidelines from a variety of Internet policies already used in libraries across the country. In our policy I included a statement supporting intellectual freedom and the freedom to access information; however, many restrictions were also included. These restrictions range from a prohibition on installing software on the computers by individuals to a prohibition to view, as the original policy read, sites that are illegal. I will come back to this point in a minute. Finally, the policy included a change for the Library. It included the use of Internet filtering software for the first time. This was not a response to any specific

problem that had been identified in the Library but rather as a response to the community the Library serves.

This policy was approved by the Board of Trustees of the Topeka and Shawnee County Public Library in December, 2000. By 2002, and the completion of the expansion and remodel of the Library, there were approximately 170 public computers available throughout the Library. Internet filtering software is installed on 49 computers.

In March 2002, a group of concerned citizens approached the Library's Board of Trustees. At the request of the Trustees, I provided them with information regarding the Library's previously approved Public Computer Use Policy. Additionally, Library staff compiled this briefing book for our Board of Trustees. It contains information about Internet filtering software, various library Internet policies, and information regarding the on-going legal debate surrounding attempts to require filtering on public access computers in libraries. After a three month review of the Library's Public Computer Use Policy, the Board of Trustees approved some minor technical changes to the policy. The updated policy included, in addition to the statement regarding accessing illegal sites, a further restriction prohibiting sites that contain materials that would be defined by the Kansas "harmful to minors" statute.

The Board of Trustees also provided strong support for the Library's staff's enforcement of the Library's Public Computer Use Policy and reinforced its desire to continue to provide Internet access in as unimpeded way as possible.

During 2002, the Library had nearly 800,000 people pass through the security gates into the main part of the Library. Of that number, only 241 were expelled from the Library in 2002 for violating Library policy. That is a rate of just 0.03%. This includes 98 who had violated the Library's Public Computer Use Policy. Of that number, the vast majority were adult men. Of the juveniles expelled, nearly half of those found to be violating the Public Computer Use Policy were using computers with Internet filtering software installed and active. Based on the information provided by the staff and the singular concerned citizen, the Board of Trustees did not see that a problem existed, and made a decision to stand by the Library's Public Computer Use Policy.

The Library staff actively enforces the policy that prohibits the viewing of materials that are "harmful to minors." We follow several approaches in this enforcement. All Library staff received a memorandum from the Executive Director that tells them that they are responsible for the enforcement of this policy. From our Executive Director to our janitorial staff, everyone plays a role in enforcing the policy. We utilize electronic means to monitor what people view on

the Internet. Selected staff utilizes remote-control software to monitor what people are viewing on the Internet. The personnel who watch the Internet are prohibited from talking about what anyone is viewing unless it is a violation of our policy. This ensures that the privacy and confidentiality of our patrons is respected.

If a violation of our policy is encountered, we have several options at our disposal depending on the severity of the violation. Violations do not always involve viewing materials that are "harmful to minors" but may involve any part of our Public Computer Use Policy. If a violation is clearly a deliberate act, the patron is asked to leave the Library and a report is filed. Should the same person violate the policy again, the length of expulsion is increased.

We have always taken an aggressive approach to enforcing the Library's policy. It is not a "tap on the shoulder," but rather a confrontation involving Library staff and security escorting the offender from the building.

We do not limit our enforcement of the policy to the computers without Internet filtering software. We have found individuals in violation of our policy on computers that have Internet filtering software installed.

One of the major problems with Internet filtering software is "under-blocking." We have found a number of commonly accessed

sites allow materials to be displayed that are a violation of our policy including such sites as Yahoo and Google.

A more pervasive problem with the Internet filtering software is "over-blocking." We have found a number of allowable sites are blocked including Mr. Food's web site and a web site developed by Dr. James Dobson and the Focus on the Family organization. The filtering software vendor determines what is blocked. The Library is only able to choose a category or group of categories from a list that is provided in the software. This has removed from local control the ability to select those materials that are appropriate for our community.

The bill before you would require the Library to do something that is impossible. It defines an "Internet filtering device" as "a device which prevents access or exposure to internet web sites which contain **or make reference to** electronic material harmful to minors." This definition would make it necessary for libraries to filter out all Internet search engines, news sites, chat rooms, purchased databases and any other site that could potentially make reference to anything that is defined as "electronic material harmful to minors." There is no software that would do this and still enable people to effectively use the Internet. There are no provisions in this bill that would allow Library staff to selectively override the Internet filtering software. Even if there were such a provision, what difference would that be

from how our current policy is enforced? Do not be misinformed; Internet filtering software is not a Band-Aid that can be utilized the same way for all libraries.

Some Internet filtering software vendors claim as much as 99% accuracy with their filtering. These claims are not supported by facts. One example that was cited yesterday in testimony was FilterLogix. The technology that is used by FilterLogix and all of the other commercially available Internet filtering software vendors looks at the text that is in a web site. Most objections over Internet content come from the images included with those words. No commercially available filtering software can look at an image and determine whether it is appropriate or inappropriate. When such technology becomes available commercially, the cost will most likely be prohibitive even to the wealthiest of libraries.

In conclusion, the Board of Trustees of the Topeka and Shawnee County Public Library has provided the Library with the tools to ensure that the Internet is available free of charge to this community. They have also given Library staff the ability to enforce a policy that prohibits people from looking at material that is "harmful to minors" so that all citizens of Shawnee County can access information that would otherwise not be available to them. The Board of Trustees of the Topeka and Shawnee County Public Library has the interest of all of

our citizens in mind when approving policy. It recognizes that the Internet resource is valuable to everyone in our service area. It also enables the Library to protect children through the use of filtering but still allows unfiltered access when necessary. It is imperative that the decision making on an issue as important as this remain with the governing body that is closest to the people they represent.

I urge you to oppose House Bill 2420.

I would be happy to answer any questions that you may have.