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LDF Files Amicus Brief Supporting Access to Public Library Books about Race and Gender

Today, the [Legal Defense Fund \(LDF\)](#), [Intercultural Development Research Association \(IDRA\)](#), [Transgender Education Network of Texas \(TENT\)](#), and [Texas Appleseed](#) filed an [amicus brief](#) in *Little v. Llano County*, a case that challenges the censorship of books on race, gender, and sexual identity in the public library system of Llano County, Texas.

The amicus brief argues the County's removal of books from its public library system violates the First Amendment right to receive information, a longstanding right that has protected access to library books, the distribution of literature, labor organizing, and fair broadcasting and advertising. By protecting access to information, this right prevents the government from silencing messages with which it disagrees, fosters a diversity of thought, and promotes an informed citizenry that is capable of engaging in a multi-racial democracy.

The case began in 2022 when seven patrons filed a lawsuit against the Llano County Library System and county officials after several books, including *Caste: The Origins of Our Discontents* by Isabel Wilkerson and *Gabi, a Girl in Pieces* by Isabel Quintero, were removed from circulation. In March 2023, a federal district court granted a preliminary injunction in the case, ordering the library to return the books to circulation. In June of this year, the Fifth Circuit largely upheld this ruling. Following an appeal by the county, the case will be heard again on September 24th *en banc* by the full Fifth Circuit court.

"The censorship of diverse books about race and gender is an affront to the First Amendment. Everyone is entitled to the freedom to learn about and discuss diverse perspectives, including perspectives that reflect their own lived experiences. This fact is especially true in our public libraries, which are essential public spaces for everyone to better inform themselves and expand their horizons," said **Katrina Feldkamp, Assistant Counsel at LDF**. "Libraries are not only crucial in creating an informed citizenry, but also in advancing a fair and thriving democracy by empowering individuals to make informed choices about matters that can impact their lives. We urge the Fifth Circuit to uphold its previous ruling and protect the constitutional rights of the residents of Llano County."

"All students, families, and communities deserve access to inclusive, representative, and culturally relevant library materials," said **Paige Duggins-Clay, IDRA's Chief Legal Analyst**. "The Fifth Circuit's three-judge panel correctly concluded that Llano County unjustifiably restricted access to information, ideas, and inspiration by restricting access to books about racism and LGBTQ+ perspectives. We urge the court to uphold its June 2024 ruling and therefore uphold the rule of law."

“Books from various identities exist not only as passageways to knowledge, but as windows to a wealth of ideas and perspectives that can both mirror our own experiences and act as a window to understanding others. The egregious censorship of diverse scholarship and literature from LGBTQ+ and other marginalized identities in Llano County seeks to undermine and erase their voices, perspectives, and lived experiences - but our stories deserve to be told,” said **Emmett Schelling, Executive Director at TENT**. “We must take the vital steps necessary to remedy all forms of discrimination that harm marginalized identities, including book bans that adversely affect queer and trans youth, and advance a vision for gender-diverse equality in Texas. By upholding its prior ruling, the Fifth Circuit can affirm the fundamental rights of all Texans.”

"The fabric of a community is enriched by the diversity of experience and perspective of its members," said **Andrew Hairston, Director of the Education Justice Project at Texas Appleseed**. "Uplifting the voices of people who have been historically oppressed or underrepresented helps us envision a future in which everyone has equal opportunity to reach their full potential regardless of race, gender, or sexual orientation. We should seek to celebrate, not censor, these differences."

Today's filing can be found [here](#).

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Legal Defense Fund (LDF) - Founded in 1940, the [Legal Defense Fund \(LDF\)](#) is the nation's first civil rights law organization. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the Legal Defense Fund or LDF. Please note that LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights.