



Written by [Dave Bohon](#) on March 8, 2012

Oregon Library Faces Lawsuit for Banning Christian Group

When the group reapplied last December for an upcoming 2012 seminar, it was once again rebuffed, with the library staff telling the group that it needn't apply any more to use the library's facilities, since it would simply be declined on religious grounds.

In addition to banning religious meetings, the library policy also prohibits the "solicitation or development of business, for profit or for fundraising ... for individual political campaigns or partisan political recruitment, or for gambling or games of chance."



The policy statement explains that the purpose of the community meeting room is to "provide space for educational and cultural enrichment and lifelong learning," and to "support the library's role as a gathering place for all ages, creating a sense of community and neighborhood belonging and a welcome environment for all."

According to Oregon's [Daily Astorian](#) newspaper, the lawsuit stems from the efforts of a local resident and Liberty Counsel volunteer, Benjamin Boyd, who wrote a letter in August 2010 seeking to use the library's meeting room in October. In his letter, Boyd said the group wanted "to sponsor a free evangelical outreach in Seaside to help mold children into responsible and respectful citizens by shaping their moral consciousness from a Christian and biblical viewpoint." He wrote that "we believe there is no better way to accomplish these goals than through interactive presentations, discussions and exercises."

Boyd further explained that speakers at the program would provide the young people attending with "various perspectives on history and traditions contained in the Bible," and would seek "to demonstrate how those traditions fit within their modern world." He added that the "overall purpose of this program is to educate the children from a Christian perspective and a biblical basis so they can better understand how to be good students, friends and ultimately good people within society."

Matt Staver, founder and chairman of [Liberty Counsel](#), said that the library's refusal of the request was a clear violation of his group's First Amendment guarantee of free speech, including the right to express a message with a religious theme. "Of all places, a public library is supposed to welcome multiple viewpoints," said Staver, whose organization has successfully defended the First Amendment guarantees of scores of other individuals and groups in similar cases. "It is astounding that public libraries continue to have these types of unconstitutional practices."

The legal group noted that the library regularly permits other groups to use the library's meeting room to discuss social, historical, or cultural subjects from a purely secular point of view, and argued that the banning of a program highlighting a religious view point is a "blatant violation" of the group's constitutionally guaranteed freedoms.

"The policy, on its face and as applied, denies equal treatment to LC ... shows hostility toward LC's



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religious beliefs ... discriminates against LC on the basis of content and viewpoint [and] violates LC's express constitutional rights," the group asserted in its lawsuit. "LC has and will continue to suffer damages as a result of the library's actions because LC must divert its resources and efforts from its mission of education and legal defense in order to bring this action to protect its own fundamental rights."

Liberty Counsel is asking the court for a judgment invalidating the library's religious prohibition as unconstitutional, as well as a permanent injunction against enforcement of the policy. Declared the group in its suit: "The library must allow LC to hold public meetings in a meeting room without regard to the religious viewpoint or content of LC's message, on the same terms and conditions as any other group that is permitted to use the room."

Staver, who is hoping Liberty Counsel can still hold its seminar at the library this year, told the [Christian Post](#) that there are two reasons schools and libraries are becoming increasingly hostile to groups such as his that have a faith-based message. "First is ignorance of the law and the wrong assumption that Christian or religious views must be banned," he said. "Second, there is an increasing secularization of the culture and an increasing clashing with Judeo-Christian values."

The *Daily Astorian* noted that while many Oregon public libraries "prohibit users from conducting commercial activities in [meeting] rooms, there is no language in their policies prohibiting religious services or proselytizing."

According to Macey Morales of the American Association of Libraries, the association's "Library Bill of Rights" advises that libraries should make their meeting rooms available to the public on an "equitable basis, regardless of the beliefs or affiliations of individuals requesting their use."

The association explained that if "meeting rooms in libraries supported by public funds are made available to the general public for non-library sponsored events, the library may not exclude any group based on the subject matter to be discussed or based on the ideas the group advocates." It added that if a library's facilities are open to "organizations engaged in educational, cultural, intellectual, or charitable activities," that policy would also allow for religious groups "because they engage in intellectual activities."

Staver said that, as in similar cases with which Liberty Counsel has been involved, it was likely the court will rule against the library. "They picked the wrong organization to discriminate against," he asserted. "But that's exactly what this library did. We are batting a thousand. We've never lost a case like this involving a library or something similar to this effect."



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