



Material Review and Relocation Request Form

Instructions:

- Use one form per item.
- Fields marked with * require that an answer be provided.
- Completed forms may be returned to a library service desk, emailed to director@cdalibrary.org or mailed to Coeur d'Alene Public Library, 702 E. Front Ave., Coeur d'Alene, ID 83814-4012.

* Full name: _____

* Address: _____

* Contact (phone or email): _____

* Title of the material in question: _____

Author of the material in question (if applicable): _____

* Format of the material: Book Audiobook DVD Video Game Magazine Newspaper

Are you a minor , parent , or legal guardian of a minor ?

* Did you obtain the material, or was it available, at Coeur d'Alene Public Library? Yes No

Have you read, viewed, or listened to the entire material? Yes No

Have you previously discussed the material with a library staff member? Yes No

* Please explain how this material meets the definition of Idaho Code § 18-1514 and/or Idaho Code § 18-1517B(2) and should be relocated – see the back of this form for reference:

* Signature (parent or legal guardian must sign if applicant is a minor)

* Date submitted

Full name of parent or legal guardian (if applicable)

STAFF USE ONLY

Date received:

Initials:

Idaho Code § 18-1514 Obscene Materials – Definitions

The following definitions are applicable to this act:

1. "Minor" means any person less than eighteen (18) years of age.
2. "Nudity" means the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering, or the showing of the female breast with less than a full opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state.
3. "Sexual conduct" means any act of masturbation, homosexuality, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks or, if such person be a female, the breast.
4. "Sexual excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal.
5. "Sado-masochistic abuse" means flagellation or torture by or upon a person who is nude or clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one who is nude or so clothed.
6. "Harmful to minors" includes in its meaning the quality of any material or of any performance or of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse, when it:
 - a. Appeals to the prurient interest of minors as judged by the average person, applying contemporary community standards; and
 - b. Depicts or describes representations or descriptions of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse which are patently offensive to prevailing standards in the adult community with respect to what is suitable material for minors and includes, but is not limited to, patently offensive representations or descriptions of:
 - i. Intimate sexual acts, normal or perverted, actual or simulated; or
 - ii. Masturbation, excretory functions or lewd exhibition of the genitals or genital area. Nothing herein contained is intended to include or proscribe any matter which, when considered as a whole, and in context in which it is used, possesses serious literary, artistic, political or scientific value for minors.
7. "Material" means anything tangible which is harmful to minors, whether derived through the medium of reading, observation or sound.
8. "Performance" means any play, motion picture, dance or other exhibition performed before an audience.
9. "Promote" means to manufacture, issue, sell, give, provide, deliver, publish, distribute, circulate, disseminate, present, exhibit or advertise, or to offer or agree to do the same.
10. "Knowingly" means having general knowledge of, or reason to know, or a belief or reasonable ground for belief that warrants further inspection or inquiry.
11. "School" means any public or private school providing instruction for students in kindergarten through grade 12.

Idaho Code § 18-1517B(2) Prohibited Materials

- (a) Any picture, photograph, drawing, sculpture, motion picture film, or similar visual representation or image of a person or portion of the human body that depicts nudity, sexual conduct, or sado-masochistic abuse and that is harmful to minors;
- (b) Any book, pamphlet, magazine, printed matter however reproduced, or sound recording that contains any matter pursuant to paragraph (a) of this subsection or explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct, or sado-masochistic abuse and that, taken as a whole, is harmful to minors; or
- (c) Any other material harmful to minors.