

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ANAKA HUNTER,)	
)	
Plaintiff,)	
)	
v.)	No. 4:12-cv-4 ERW
)	
BOARD OF TRUSTEES, SALEM PUBLIC)	
LIBRARY, et al.,)	
)	
Defendants.)	

**PLAINTIFF’S FIRST REQUEST FOR ADMISSION
DIRECTED TO DEFENDANT WOFFORD**

COMES NOW Plaintiff Anaka Hunter, by and through counsel, and in accordance with Rule 36 of the Federal Rules of Civil Procedure, hereby requests that Defendant Wofford admit or deny the following matters within thirty days of service of these requests. The matters set forth in these requests may be deemed admitted if Defendant does not respond to the Request in the time allowed.

REQUEST FOR ADMISSION NO. 1: Beginning in or about July 2010, Anaka Hunter conducted research at the Salem Public Library including accessing the Internet from computers made available for public use by the Library.

ANSWER:

REQUEST FOR ADMISSION NO. 2: A number of the websites Anaka Hunter wanted to access for information were blocked.

ANSWER:

REQUEST FOR ADMISSION NO. 3: Anaka Hunter first brought the blocking to the attention of Glenda Wofford in or about July 2010.

ANSWER:

REQUEST FOR ADMISSION NO. 4: Glenda Wofford responded to Anaka Hunter's initial July 2010 request to unblock certain blocked websites that there was nothing she could do.

ANSWER:

REQUEST FOR ADMISSION NO. 5: Glenda Wofford responded to Anaka Hunter's initial July 2010 request to unblock certain blocked websites it was up to the filtering system which websites library patrons could view.

ANSWER:

REQUEST FOR ADMISSION NO. 6: After receiving a call from Ms. Barbara Reading from the State Library on or about October 29, 2010, Wofford met with Hunter in the Library meeting room for approximately 50 minutes and explained that she could override the filter allowing her view websites currently blocked.

ANSWER:

REQUEST FOR ADMISSION NO. 7: Subsequent to her discussion with Glenda Wofford on or about October 29, 2010, Anaka Hunter sought to have particular websites pertaining to Native Americans unblocked.

ANSWER:

REQUEST FOR ADMISSION NO. 8: In response to Anaka Hunter's requests to unblock websites (subsequent to her discussion with Glenda Wofford on or about October 29, 2010), Wofford unblocked single pages to some websites, but other sections of those website remained blocked.

ANSWER:

REQUEST FOR ADMISSION NO. 9: Anaka Hunter raised the issue of filtering again with Glenda Wofford after she had requested certain websites be unblock (subsequent to their discussion on or about October 29, 2010).

ANSWER:

REQUEST FOR ADMISSION NO. 10: Anaka Hunter stated to Glenda Wofford that she thought the filtering of the websites Hunter sought to view was improper and the classification of Native American cultural and religious history and practices as the "occult" and "criminal skills" was misleading and derogatory.

ANSWER:

REQUEST FOR ADMISSION NO. 11: Glenda Wofford responded to Anaka Hunter's complaints about the blocking and classification of Native American cultural and religious history and practices as the "occult" and "criminal skills" by saying that it was up to the filtering system which websites library patrons could view and that she only allows people to view blocked websites if it pertains to their job, if they are writing a paper, or if she determined that they otherwise have a legitimate reason to view the content.

ANSWER:

REQUEST FOR ADMISSION NO. 12: Glenda Wofford asserted to Anaka Hunter that Wofford had an “obligation” to call the “proper authorities” to report those who were attempting to access blocked sites if she thought they would misuse the information they were attempting to access.

ANSWER:

REQUEST FOR ADMISSION NO. 13: At the Salem Library Board Meeting on November 8, 2010, Anaka Hunter voiced her concerns to the Board about the filtering.

ANSWER:

REQUEST FOR ADMISSION NO. 14: At the Salem Library Board Meeting on November 8, 2010, Anaka Hunter raised the issue about the policies, practices, and customs that block religious content based upon its viewpoint.

ANSWER:

REQUEST FOR ADMISSION NO. 15: After Hunter described her experiences and outlined her complaints before the Salem Library Board, a board member asked Anaka Hunter whether she thought the Board or Library staff is prejudiced.

ANSWER:

REQUEST FOR ADMISSION NO. 16: Anaka Hunter stated that she thought the filtering was unfair.

ANSWER:

REQUEST FOR ADMISSION NO. 17: A member of the Board responded to Anaka Hunter that the Library's Internet Content Filtering system would not change, adding, "If that's all, we have business to discuss."

ANSWER:

REQUEST FOR ADMISSION NO. 18: None of the websites Anaka Hunter was prevented from accessing contains visual depictions that are obscene, child pornography, or harmful to minors within the meaning of 20 U.S.C. § 9134(f).

ANSWER:

REQUEST FOR ADMISSION NO. 19: None of the websites that Anaka Hunter was prevented from accessing contains material that is pornographic for minors.

ANSWER:

REQUEST FOR ADMISSION NO. 20: Glenda Wofford had no reasonable basis to believe that any of the websites Anaka Hunter was prevented from accessing or desires to view contain visual depictions that are obscene, contain child pornography, or harmful to minors within the meaning of 20 U.S.C. § 9134(f).

ANSWER:

REQUEST FOR ADMISSION NO. 21: Glenda Wofford had no reasonable basis to believe that any of the websites Anaka Hunter was prevented from accessing or desires to view contain material that was pornographic for minors within the meaning of MO. REV. STAT. § 182.827.3 and defined in MO. REV. STAT. § 573.010(14).

ANSWER:

REQUEST FOR ADMISSION NO. 22: Since April 2009, the Library or its Internet service provider employs an Internet Content Filter program known as Netsweeper.

ANSWER:

REQUEST FOR ADMISSION NO. 23: Netsweeper assigns websites to categories.

ANSWER:

REQUEST FOR ADMISSION NO. 24: Netsweeper categories include “adult image,” “criminal skills,” “extreme,” “general,” “IWF” (websites tagged by the Internet Watch Foundation as likely to contain images of child abuse), “occult,” “pornography,” and “religion.”

ANSWER:

REQUEST FOR ADMISSION NO. 25: Websites not categorized by Netsweeper as “adult image,” “extreme,” “IWF,” or “pornography” are not likely to contain visual depictions that are obscene, child pornography, harmful to minors within the meaning of 20 U.S.C. § 9134(f), or pornographic for minors within the meaning of MO. REV. STAT. § 573.010(14).

ANSWER:

REQUEST FOR ADMISSION NO. 26: Netsweeper allows library Internet Content Filtering administrators to determine which categories are allowed and which are blocked by default for all computers in at the Salem Public Library.

ANSWER:

REQUEST FOR ADMISSION NO. 27: Netsweeper allows library Internet Content Filtering administrators to block or unblock individual domains by default for all computers in at the Salem Public Library.

ANSWER:

REQUEST FOR ADMISSION NO. 28: Netsweeper allows library Internet Content Filtering administrators to block or unblock individual pages by default for all computers in at the Salem Public Library.

ANSWER:

REQUEST FOR ADMISSION NO. 29: Netsweeper allows library Internet Content Filtering administrators to temporarily disable blocking for individual categories for individual computers in at the Salem Public Library.

ANSWER:

REQUEST FOR ADMISSION NO. 30: Netsweeper allows library Internet Content Filtering administrators to temporarily disable blocking for individual domains for individual computers in at the Salem Public Library..

ANSWER:

REQUEST FOR ADMISSION NO. 31: Netsweeper allows library Internet Content Filtering administrators to temporarily disable the blocking for individual pages for individual computers in at the Salem Public Library..

ANSWER:

REQUEST FOR ADMISSION NO. 32: Netsweeper allows library Internet Content Filtering administrators to temporarily disable blocking entirely for individual computers in at the Salem Public Library..

ANSWER:

REQUEST FOR ADMISSION NO. 33: Netsweeper allows library Internet Content Filtering administrators to permanently disable blocking for individual categories for all computers in at the Salem Public Library.

ANSWER:

REQUEST FOR ADMISSION NO. 34: Netsweeper allows library Internet Content Filtering administrators to permanently disable blocking for individual domains for all computers in at the Salem Public Library.

ANSWER:

REQUEST FOR ADMISSION NO. 35: Netsweeper allows library Internet Content Filtering administrators to permanently disable the blocking for individual pages for all computers in at the Salem Public Library..

ANSWER:

REQUEST FOR ADMISSION NO. 36: None of the Netsweeper configuration changes require substantial time, effort, or expertise on the part of library Internet Content Filtering

administrators.

ANSWER:

REQUEST FOR ADMISSION NO. 37: Glenda Wofford was at all relevant times, and remains, the Library's Internet Content Filtering administrator with the ability to change Netsweeper's settings on the Library's computer terminals.

ANSWER:

REQUEST FOR ADMISSION NO. 38: Glenda Wofford was at all relevant times, and remains, the policymaker who determine which categories to block or unblock.

ANSWER:

REQUEST FOR ADMISSION NO. 39: The Library Board was at all relevant times, and remains, the policymaker which determine which categories to block or unblock.

ANSWER:

REQUEST FOR ADMISSION NO. 40: Until August 2011, the Salem Public Library blocked websites categorized by Netsweeper as "occult."

ANSWER:

REQUEST FOR ADMISSION NO. 41: Wofford knew that the "occult" category substantially overblocks websites, including those the Anaka Hunter sought and asked to view related to Native American cultural and religious history and the Wiccan Church.

ANSWER:

REQUEST FOR ADMISSION NO. 42: During the period from July 2010 to the present, Netsweeper categorizes **About.com: Paranormal Phenomena** (paranormal.about.com), a viewpoint-neutral portal to news and discussions of paranormal issues, as “occult.”

ANSWER:

ANSWER: REQUEST FOR ADMISSION NO. 43: During the period from July 2010 to the present, Netsweeper categorizes **All About Spirituality** (www.allaboutspirituality.org), a website discussing from a neutral viewpoint numerous topics in spirituality, including angels, astrology, meditation, paganism, shamanism, and yoga, as “occult.”

ANSWER:

REQUEST FOR ADMISSION NO. 44: During the period from July 2010 to the present, Netsweeper categorizes **Astrology.com** (www.astrology.com), a website discussing astrology and offering horoscope readings and similar services, as “occult.”

ANSWER:

REQUEST FOR ADMISSION NO. 45: During the period from July 2010 to the present, Netsweeper categorizes **The Church and School of Wicca** (www.wicca.org), the official homepage of the Wiccan Church, as “occult”;

ANSWER:

REQUEST FOR ADMISSION NO. 46: During the period from July 2010 to the present, Netsweeper categorizes **Cult FAQ** (www.cultfaq.org), a viewpoint-neutral discussion of the cult

phenomenon, including links to resources such as counseling and support for cult (ex-)members and their families, as “occult.”

ANSWER:

REQUEST FOR ADMISSION NO. 47: During the period from July 2010 to the present, Netsweeper categorizes **Encyclopedia of Death and Dying** (www.deathreference.com), containing viewpoint-neutral discussions of various cultures’ and religions’ ideas of death and death practices, as “occult.”

ANSWER:

REQUEST FOR ADMISSION NO. 48: During the period from July 2010 to the present, Netsweeper categorizes **Wikipedia: Wicca** (en.wikipedia.org/wiki/Wicca), a viewpoint-neutral discussion of the Wiccan Church, as “occult.”

ANSWER:

REQUEST FOR ADMISSION NO. 49: During the period from July 2010 to the present, Netsweeper categorizes **WitchVox** (www.witchvox.com), an overview of pagan belief systems, such as Druidism, Haitian Voodoo, Neopaganism, and Wicca, as “occult.”

ANSWER:

REQUEST FOR ADMISSION NO. 50: During the period from July 2010 to the present, Netsweeper categorizes **Astrology and Horoscopes: The Bible and Christian View** (<http://www.northforest.org/ChristianTopics/Astrology.html>), a discussion of astrology from a Christian viewpoint as “general.”

ANSWER:

REQUEST FOR ADMISSION NO. 51: During the period from July 2010 to the present, Netsweeper categorizes **Catholic Encyclopedia: Paganism** (www.newadvent.org/cathen/11388a.htm), a discussion of Paganism from a Catholic viewpoint, as “religion.”

ANSWER:

REQUEST FOR ADMISSION NO. 52: During the period from July 2010 to the present, Netsweeper categorizes **Christian Paranormal Answers** (christianparanormalanswers.com), a site that describes itself as “Answers about the Paranormal from a Christian viewpoint,” as “general.”

ANSWER:

REQUEST FOR ADMISSION NO. 53: During the period from July 2010 to the present, Netsweeper categorizes **What does the Bible say about Voodoo?** (www.gotquestions.org/voodoo-Bible.html), a discussion of Voodoo from a Christian viewpoint as “religion.”

ANSWER:

REQUEST FOR ADMISSION NO. 54: Blocking the “occult” category results in content- and viewpoint- discrimination against non-mainstream religions and beliefs.

ANSWER:

REQUEST FOR ADMISSION NO. 55: Blocking websites that Netsweeper categorizes as “occult” is not required by the Children’s Internet Protection Act.

ANSWER

REQUEST FOR ADMISSION NO. 56: Blocking websites that Netsweeper categorizes as “occult” is not required by MO. REV. STAT. § 182.827.3.

ANSWER:

REQUEST FOR ADMISSION NO. 57: Until August 2011, the Salem Public Library blocked websites categorized as “criminal skills.”

ANSWER:

REQUEST FOR ADMISSION NO. 58: Wofford knew that the “criminal skills” category overblocks websites, including those the Anaka Hunter sought and asked to view related to Native American cultural and religious history and the Wiccan Church.

ANSWER:


REQUEST FOR ADMISSION NO. 59: Blocking websites that Netsweeper categorizes as “criminal skills” is not required by Children’s Internet Protection Act.

ANSWER:

REQUEST FOR ADMISSION NO. 60: Blocking websites that Netsweeper categorizes as “criminal skills” is not required by MO. REV. STAT. § 182.827.3.

ANSWER:

Respectfully submitted,



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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on October 5 2012, I mailed and emailed a copy of this Notice to:

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Attorneys for Defendants

A handwritten signature in black ink, appearing to be "J. D. ..." with a horizontal line underneath it.