

ACLU of Tennessee Files Lawsuit on Behalf of PEN America and Families to Halt Book Bans in Rutherford County, TN Schools

Students, Authors and Advocates Join Together to Protect the Freedom to Learn and Free Speech

Banned Books

Advocacy

U.S. Free Expression

April 16, 2025

(NASHVILLE, TN)—Today, the American Civil Liberties Union of Tennessee, along with attorney Kerry Knox, [filed a lawsuit](#) on behalf of three Rutherford County families and PEN America against the Rutherford County Board of Education, in response to the banning and restriction of more than 145 books from school libraries in the county. The three families, who are anonymous, include two rising freshmen and a rising senior who will attend Rutherford County schools next year. PEN America, a national writers and free expression organization, joined the lawsuit on behalf of its author members, 32 of whom have had a total of 53 books banned or restricted by the Rutherford County school board.

“The First Amendment is a crucial pillar of our country’s democracy,” said **ACLU-TN Legal Director Stella Yarbrough**. “A vocal minority of people are attempting to speak for Rutherford County parents by banning books – particularly those that address LGBTQ+ rights, race and racism – as part of a coordinated attack on inclusive education. As these baseless bans continued to escalate, we had no choice but to go to court to defend authors’ free speech and students’ freedom to learn.”

The Rutherford County school board began banning materials in the spring of 2024 through informal requests by school board members, initially without any public meeting or vote of the board. By September 2024, members of the board indicated that rather than reading the books they were banning, they had begun to rely almost exclusively on a website and a rating system created by individuals associated with the far-right organization Moms for Liberty to target books for removal. The website gives books poor ratings if they include LGBTQ+ characters; “racial, social or religious commentary” the organization considers “controversial;” profanity; and nudity; among other characteristics.

PEN America Deputy CEO and Chief Legal Officer Eileen Hershenov said, “PEN America is fighting for the rights of our author members who are under heightened pressure from forces trying to throttle literary voices they don’t like. Banning these writers’ books is unlawful and denies students the rich education they have the right to. If this censorship is allowed to stand, generations to come will be robbed of both the joy of reading great stories and the information they need to become engaged citizens of a diverse, dynamic, and pluralistic democracy.”

While the board voted in November 2024 to have a committee of school library materials specialists review and report on the books, the board then ignored the recommendations in more than 70 percent of the instances when they evaluated books, choosing to remove books at nearly every meeting – including

educationally valuable books frequently featured in the AP English Literature curriculum and others that have been in school libraries for years.

“Book bans are a clear violation of the First Amendment, effectively gagging authors and denying students the opportunity to read, debate, and learn from crucial, acclaimed, and historical works,” said **co-counsel Kerry Knox**. “Denying Tennessee students access to the same materials as their peers puts them at a significant disadvantage as they develop into future community leaders.”

The lawsuit asserts that the First Amendment protects students’ right to access information and ideas, and that the government cannot censor books solely based on dislike of or disagreement with the ideas in a book. The First Amendment also protects authors’ ability to communicate their ideas to students free from undue government interference and discrimination based on viewpoint. The plaintiffs are asking the court to block Rutherford County from continuing to ban books from school libraries, and to reinstate many of the materials that have already been banned or restricted.

Plaintiff Rachel Roe, a rising freshman who is participating in the lawsuit under a pseudonym, said, “I noticed that many of the removed books involve stories about LGBTQ characters or tell stories about racism or the experiences of non-white authors growing up in America. I think it is wrong to remove these books because I think that books in a library should represent everybody. Everyone should feel included and read stories about themselves. A library without these books would just be boring.”

PEN America’s affected author members include Laurie Halse Anderson, Jesse Andrews, Elana K. Arnold, Jay Asher, Margaret Atwood, Judy Blume, Deb Caletti, Mary H.K. Choi, Mike Curato, Jessie Ann Foley, E.R. Frank, Alex Gino, John Green, Jenny Han, Ellen Hopkins, Khaled Hosseini, George M. Johnson, Brian Katcher, Rupi Kaur, A.S. King, Jean Kwok, Malinda Lo, Gregory Maguire, Mindy McGinnis,

Casey McQuiston, Preston Norton, Ashley Hope Pérez, Jodi Picoult, Amy Reed, Rainbow Rowell, Cory Silverberg and Angie Thomas.

Author Elana K. Arnold, said, “My work and the work of my fellow authors on this list all have significant literary value. No serious person can argue otherwise. Attempts to call these books obscene or pornographic by taking specific lines out of context, and claiming they represent the works as a whole, is either ignorant, intellectually dishonest, or both. Readers deserve free access to books. I stand in solidarity with the librarians, teachers, parents, and educators who acknowledge that our duty is to the freedom of information, the art of literature, and the protection of young people’s access to the full library collections to which they are entitled.”

A complete list of the books that have been banned by the Rutherford County Board of Education can be found at:

[https://www.rcschools.net/apps/pages/index.jsp?
uREC ID=525032&type=d&pREC ID=2636708](https://www.rcschools.net/apps/pages/index.jsp?uREC_ID=525032&type=d&pREC_ID=2636708)

A copy of the complaint filed today can be found at: <https://pen.org/wp-content/uploads/2025/04/Tennessee-Filed-Complaint.pdf>

This statement can be found online at: <https://pen.org/press-release/aclu-of-tennessee-files-lawsuit-on-behalf-of-pen-america-and-families-to-halt-book-bans-in-rutherford-county-schools/>

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PEN America stands at the intersection of literature and human rights to protect free expression in the United States and worldwide. We champion the freedom to write, recognizing the power of the word to transform the world. Our mission is to unite writers and their allies to celebrate creative expression and defend the liberties that make it possible. Learn more at pen.org PEN America has documented the steep rise in book bans in schools across the country since 2021,

counting more than 16,000 instances of bans since then. More information can be found at: <https://pen.org/book-bans/>

The **ACLU of Tennessee**, the state affiliate of the national American Civil Liberties Union, is a private, non-profit, non-partisan public interest organization dedicated to defending and advancing civil liberties and civil rights through advocacy, coalition-building, litigation, legislative lobbying, community mobilization and public education. For more information, visit www.aclu-tn.org.