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ACLU of Tennessee Lawsuit Looks to Stop Book Bans in Rutherford County

By Jim Milliot | Apr 17, 2025

The American Civil Liberties Union of Tennessee filed a lawsuit April 16 against the Rutherford County Board of Education in response to the banning and restriction of more than 140 books from school libraries in that Tennessee county. The suit, filed in the U.S. District Court Middle District of Tennessee at Nashville, was brought on behalf of three Rutherford County families and PEN America, and alleges that the bans are illegal and a violation of First Amendment rights.

The lawsuit comes after 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 they were not reading the books they were banning, but relied almost exclusively on the BookLooks rating system created by individuals associated with the conservative advocacy group 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.

According to the filing, about 150 books had been targeted to be removed by the board, although some members acknowledged they were confused about what the actual policy for removing books is. After the board hired specialists to make recommendations, attorneys for the plaintiffs charge that the board ignored their suggestions and that by April 9, 2025, over 140 titles had been permanently removed or restricted from library shelves.

In their lawsuit, plaintiffs attorneys argued book bans are a direct violation of students' First Amendment rights to access information and ideas, and the government cannot censor books solely based on dislike of or disagreement with the ideas in a book. 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.

"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 in a statement. ACLU-TN legal director Stella Yarbrough added that "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 lawsuit is just the most recent effort to stem the ongoing push by conservative groups to remove books they deem unacceptable from library shelves. In a new report, PEN provides a comprehensive analysis of the 4,128 unique titles that it determined were removed from public schools nationwide during the 2023–2024 academic year—the result of more than 10,000 instances of school book bans over that time period.

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