

The Changing Landscape of Library Privacy

MD Tech Connect 2019

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Plan & Introductions

1. Background
 2. Issues: let's discuss!
 - Third-party vendors
 - Tech we use & lend
 - Analytics
 3. What we can do
 4. A wider lens
 5. Further reading & resources
- ▶ [Intellectual Freedom Panel \(MLA\)](#)
- meetings, listserv, programs, projects
 - ▶ [Library Freedom Institute](#) - new cohort opening soon!

Background: Privacy in Libraries

▶ Library policy ([Privacy Tool Kit](#))

▶ [State laws](#)

(a) Subject to subsection (b) of this section, a custodian shall prohibit inspection, use, or disclosure of a circulation record of a public library or any other item, collection, or grouping of information about an individual that:

- (1) is maintained by a library;
- (2) contains an individual's name or the identifying number, symbol, or other identifying particular assigned to the individual; and
- (3) identifies the use a patron makes of that library's materials, services, or facilities.

(b) A custodian shall allow inspection, use, or disclosure of a circulation record of a public library only:

- (1) in connection with the library's ordinary business; and
- (2) for the purposes for which the record was created.

Background: Privacy in Libraries

▶ Library Bill of Rights

VII. All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use. Libraries should advocate for, educate about, and protect people's privacy, safeguarding all library use data, including personally identifiable information.

▶ Access to Digital Resources and Services: An Interpretation of the Library Bill of Rights

...As libraries increasingly provide access to digital resources through third-party vendors, *libraries have a responsibility to hold vendors accountable for protecting patrons' privacy.*

...When new digital resources are provided to library users, libraries have an obligation to provide equitable training opportunities to library users and workers in using those new resources. *Training should also address privacy and security issues that accompany the use of digital resources and services.*

Background: Privacy in Libraries

▶ Privacy: An Interpretation of the Library Bill of Rights

Libraries have a *responsibility to inform users about policies and practices governing the collection, security, and retention of personally identifiable information and library use data*. Additionally, users should have the choice to *opt-in* to any data collection that is not essential to library operations... Information about options available to users should be prominently displayed, accessible, and understandable for a general audience.

Libraries should never share users' personally identifiable information with third parties or vendors that provide resources and library services, unless the library obtains explicit permission from the user. ...Libraries or their governing institutions should negotiate agreements with vendors that... permit independent auditing of vendor data collection, retention, and access policies and practices.

Third-Party Vendors

- ▶ Lynda.com/LinkedIn Learning
 - ▶ [OIF post](#), [ALA statement](#), [CA State Library statement](#)
 - ▶ Email addresses and first/last name to use
 - ▶ Privacy policy includes logging IP addresses, location data, use data, and more
 - ▶ Data could be shared with affiliates
- ▶ And also...
 - ▶ Kanopy - [privacy policy](#), [data leak](#)
 - ▶ Kindle ebooks ([InfoDocket](#))
 - ▶ [Privacy policy list](#) (San Jose Library Virtual Privacy Lab)

Third-Party Vendors

- ▶ Anonymized/aggregated data, IP addresses, location data
 - ▶ Personally identifiable information: “...any information that can be used to distinguish or trace an individual’s identity, such as name, Social Security number, date and place of birth, mother’s maiden name, or biometric records...” ([GAO](#))
 - ▶ [Kanopy](#): “anonymous usage data” ... “we may access, collect, monitor and/or remotely store ‘location data’” ; [New York Times](#): “...aggregate and/or anonymize personal information”; [LinkedIn Learning](#): “...information about your IP address, ... web browser and add-ons, device identifier and features” ... “data about your location”
 - ▶ “Deanonymization is effective, and it's dramatically easier than our intuitions suggest.” ([Electronic Frontier Foundation](#))

Third-Party Vendors

- ▶ Do you agree with your library's decision regarding Lynda.com? Why or why not?
- ▶ Has this changed how you will recommend these resources to patrons?
- ▶ What is the balance between only working with vendors that are willing to meet our privacy standards and providing access to services/resources that could benefit our patrons?
- ▶ Should it be the librarian's responsibility to tell patrons about privacy issues with our services, or is that the patron's responsibility? If ours, what is adequate disclosure - a link on the vendor's site? A pop-up? ([sample](#))
- ▶ In the case of a vendor data leak or breach, whose responsibility should it be to notify patrons?
- ▶ Do you think patrons assume that our commitment to privacy extends to our vendors?

Tech We Use & Lend

- ▶ Chromebooks
 - ▶ Browsers/WiFi
 - ▶ Classes/instruction
- ▶ Have you tried incorporating points about privacy into tech instruction? How did it go?
 - ▶ What could it look like to integrate privacy discussions into these services?
 - ▶ Do you agree with the Access to Digital Resources and Services Interpretation that “[t]raining should also address privacy and security issues that accompany the use of digital resources and services”? Why or why not?

Analytics

- ▶ Combine library data with outside sources for marketing, use analysis, decision making, or to demonstrate value to stakeholders
- ▶ Library data can include address, program attendance, number of items checked out, website use and more
- ▶ Outside data can include census information, demographic information, commercial data, web use and more
- ▶ Popular companies/products include [Patron Point](#), [CIVICTechnologies](#), [Gale Analytics On Demand](#), [Wise](#) and [OrangeBoy](#)
- ▶ Concerns: state law, library policy, data security, consent, efficacy
- ▶ Santa Cruz
 - ▶ “[P]otential threat to patron privacy and trust” ([Grand Jury report](#))
 - ▶ [Library Journal coverage](#)

Analytics

- ▶ Have you worked with this kind of software in your library, or do you know of cases where it's been used?
- ▶ What do you think about software like this? Does it depend on what level of patron data is shared (ZIP codes vs. exact address; number of programs attended vs. names of programs attended)?
- ▶ For what uses would you consider this appropriate, if any? Does the purpose/goal of the analytics influence how you feel about its use (for instance, decisions about where to open a branch vs. marketing a program to a specific set of people vs. support in making collection development decisions)?
- ▶ What information would you feel comfortable having compiled about yourself in this context?

What We Can Do

External

- ▶ Include privacy in discussions and instruction with patrons
- ▶ Encourage reading privacy policies
- ▶ Change browser options
- ▶ Handouts/displays

Internal

- ▶ Advocate for privacy
- ▶ Keep learning
- ▶ Read privacy policies
- ▶ Privacy [guidelines](#), [checklists](#) and audits ([webinar](#), [tool kit info](#))
- ▶ Negotiate for privacy

A Wider Lens

- ▶ Facial recognition bill in MA - [MLA statement](#)
- ▶ Working with vendors who deal in surveillance ([overview](#))
- ▶ Is this appropriate for libraries to do? Why or why not?
- ▶ How else could libraries or library workers get involved?
- ▶ Other relevant issues?

Further Reading & Resources

- ▶ Additional resources (ALA unless specified):
 - ▶ [Privacy and Confidentiality Q&A](#)
 - ▶ [Office for Intellectual Freedom](#): Check out their blog for updates, especially the weekly Intellectual Freedom News posts
 - ▶ [Choose Privacy Every Day - Resources](#): Tools to learn more and help patrons protect their privacy. Also see the Programs section for programming-in-a-box
 - ▶ NISO Consensus Principles on User's Digital Privacy in Library, Publisher, and Software-Provider Systems ([National Information Standards Organization](#))
- ▶ News and organizations:
 - ▶ [Electronic Frontier Foundation \(EFF\)](#)
 - ▶ [Electronic Privacy Information Center \(EPIC\)](#)
 - ▶ [Georgetown Center on Privacy & Technology](#)
 - ▶ Look for privacy, security, and surveillance tags in technology outlets like Wired, The Verge, and in non-tech news sources

Further Reading & Resources

- ▶ Tools and training:
 - ▶ [Data Privacy Project](#): Helping librarians understand data flows and online privacy
 - ▶ [Library Freedom Project](#): Privacy training for librarians, and home of the Library Freedom Institute
 - ▶ [NYC Digital Safety](#): Privacy and security resources, lesson plans, and tips from the Brooklyn Public Library, the New York Public Library, and the Queens Library
 - ▶ [Security Education Companion](#): Lesson plans for educators, including learning levels and estimated time per lesson, from the Electronic Frontier Foundation
 - ▶ [Stop. Think. Connect.](#): Cybersecurity information, tip sheets, research, and more in multiple languages - great for displays and public pick-up
 - ▶ [Virtual Privacy Lab](#): From the San Jose Public Library, learn more about online privacy and create a custom toolkit specific to your needs and concerns

Further Reading & Resources

- ▶ “Anonymous” data
 - ▶ Netflix Study: Robust De-anonymization of Large Datasets (How to Break Anonymity of the Netflix Prize Dataset) (arxiv.org)
 - ▶ Phone Location Study: Mobile Location Data “Present Anonymity Risk” ([BBC](https://www.bbc.com))
 - ▶ De-anonymizing Web-Browsing Histories May Reveal Your Social Media Profiles ([Tech Republic](https://www.techrepublic.com))
 - ▶ “Anonymized” Data Really Isn’t—And Here’s Why Not ([Ars Technica](https://www.ars-technica.com))
- ▶ Analytics
 - ▶ Big Brother Is Watching you: The Ethical Role of Libraries and Big Data ([Choose Privacy Every Day](https://www.chooseprivacy.org))
 - ▶ Recommendation of WPLC Analytics Workgroup ([Wisconsin Public Library Consortium](https://www.wisconsinpubliclibrary.org))
 - ▶ Libraries Look to Big Data to Measure Their Worth—And Better Help Students ([EdSurge](https://www.edsurge.com))

Thank you!

Questions, comments, more info:

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