Data Privacy, The Library, and You

Becky Yoose
Library Data Privacy Consultant, LDH Consulting Services
Data Privacy Best Practices Training for Libraries
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Week 1

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Today's Schedule

1:00 – 1:20  Welcome and course housekeeping
1:20 – 1:45  Training
1:45 – 1:50  Break
1:50 – 2:25  Training
2:25 – 2:30  Wrap up
### Series Housekeeping - Outline

<table>
<thead>
<tr>
<th>Week One (this week!)</th>
<th>Week Three</th>
<th>Week Two</th>
<th>Week Four</th>
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<tbody>
<tr>
<td>Privacy &amp; library data primer</td>
<td>Privacy risk assessment</td>
<td>Developing library privacy training</td>
<td>Creating a culture of privacy</td>
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<tr>
<td>Current/evergreen privacy issues</td>
<td>Vendor relations</td>
<td>Supporting staff outside training</td>
<td>Keeping up with updates</td>
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<tr>
<td>Patrons and privacy</td>
<td></td>
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<td>Action planning!</td>
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### Series Housekeeping – Expectations

**Online Sessions**
- 90 minutes/week for 4 weeks
- Lecture
- Small and large group discussions
- Exercises

**Optional Basecamp Work**
- 30 to 60 minutes/week
- Readings
- Discussions
- Exercises

### Series Housekeeping – Guidelines

- When you disagree, challenge or criticize the idea, not the person.
- Speak from your own perspective.
- Be mindful of the time.
- One speaker at a time.
- What is said in this space, stays in this space unless you have permission.
Recommended Reading:

- [Title and Details]

**Introduce Yourself... on Basecamp!**

1. Starting From The Top – Privacy Fundamentals

**What Is Privacy?**
General Legal and Standards Overview

- "The Right to Privacy" (1890)
  - "the right to be let alone"
- US Legal Regulations & Caselaw
  - Fourth Amendment
  - Katz v. United States (1967)
  - PATRIOT Act, Freedom Act
- Privacy frameworks
  - FTC Fair Information Practice (FIPs) and Fair Information Practice Principles (RIPPs)
  - OECD Privacy Guidelines

Privacy and Libraries

- ALA Code of Ethics excerpt:
  - "3. We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted."
- ALA Library Bill of Rights, Article 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."

Privacy Security

- Privacy
  - Notice
  - Choice/Consent
- Security
  - Confidentiality
  - Use
  - Access
- Integrity
- Availability
What is Data?

**Definition of data**

1. factual information (such as measurements or statistics) used as a basis for reasoning, discussion, or calculation
   
   — H. A. Gleason, jr.

   "If comprehensive data on economic growth have been published"

2. information in digital form that can be transmitted or processed

3. information output by a sensing device or organ that includes both useful and irrelevant or redundant information and must be processed to be meaningful

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We create data.  
We are data.

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Discussion – Data, Data, Everywhere...
2. Library Patron Data Privacy Fundamentals

Personally Identifiable Information [PII] In Libraries

PII 1 - Data about a patron
- Name
- Physical/email address
- Phone number
- Date of birth
- Patron record number
- Library barcode

PII 2 - Activity that can be tied back to a patron
- Search & circulation histories
- Computer/wifi sessions
- Reference questions
- Electronic resource access
- IP Address
- Program attendance
What Affects Library Data Privacy?

- Legal regulations
  - Federal
  - State
  - Local
- Industry standards
  - FIPPs
  - OECD Privacy Principles
  - NIST/ISO
- Professional standards/ethics
  - ALA Bill of Rights and Code of Ethics
  - IFLA
  - State, consortia, regional orgs
- Third parties/vendors
- Technology
- Organizational culture, resources, and priorities

3. Current/Evergreen Patron Data Privacy Topics
Shifts to Virtual-First Services and Work

**Working from Home**
- Device security
- Network security
- Data storage and access
- Increased reliance on third party systems and applications to work with patron data

**Virtual Patron Services/Programs**
- Web conferencing platforms
- Can we guarantee the same level of privacy as the physical equivalent of the program/service?
- Privacy and security
  - Recordings
  - Data exhaust
  - Zoombombings

Discussion – Your experiences with shifting to virtual

Library Surveillance of Patrons

**Library Security**
- Security incident databases
- Shift logs
- Security cameras
- Body cameras on security staff/police

**Vendor Tracking**
- Web analytics
- Data from library vs data from patron
- Behavioral tracking
  - Cross-site
  - Social media
- Marketing and data disclosure/reselling

**Library Data Analytics and Marketing**
- Patron profile of use of library
- Use of external data sets to create segments
- Primary use of data vs secondary use
- Patron expectations
Patron Data Requests/Access

<table>
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<tr>
<th>Law Enforcement</th>
<th>Other Patrons</th>
<th>Library Workers, Volunteers, Affiliates</th>
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<tbody>
<tr>
<td>• Legal regulations around access</td>
<td>• Parents, guardians, and custodians</td>
<td>• Who has access to what data</td>
</tr>
<tr>
<td>• Policy and procedure</td>
<td>• Authorized users</td>
<td>• When it is appropriate to access, use, and disclose patron data</td>
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<tr>
<td>• Court-issued order vs administrative orders</td>
<td>• Social workers/Case workers</td>
<td>• Insider threat happens in libraries, too</td>
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<td>• “Being a helpful citizen” or other factors around interacting with LEOs</td>
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Exercise – What keeps you up at night?

Specific Privacy Risks for Patron Groups

• Minors
• Seniors
• Insecurely housed
• Incarcerated persons
• Researchers/journalists
• Students
• LGBTQIA+
• BIPOC
• Patrons with disabilities
• Immigrants and undocumented persons
• Patrons currently in or escaping abusive situations or harassment
Questions and Open Discussion

Wrap Up

Next Week

**Week Two - Data Privacy Training at Your Library**
- April 14th, 1 pm – 2:30 pm

**Week One Activities/Reading**
- Readings – Toolkit Sections 1, 2 (up to page 13), 6
- Exercises on Basecamp
Resources and Further Reading

  https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=6254&lawCode=GOV.
- “California Government Code § 6267. Registration and Circulation Records of Library Supported by Public Funds.”
  https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=6267&lawCode=GOV.
  https://scholarsphere.psu.edu/resources/6e465f98-fc36-478e-bba5-3f29c52a7632.
- “Data Privacy Project.”
  https://dataprivacyproject.org/.

Resources and Further Reading (con't)

  https://www.law.cornell.edu/wex/fourth_amendment.
- Tokson, Matthew. 2016. “Knowledge and Fourth Amendment Privacy.”
  Northwestern University Law Review 66.

Additional bibliographies and resources can be found in the Toolkit and training resources at the
https://www.plpinfo.org/dataprivacytoolkit/.