SANTA MONICA PUBLIC LIBRARY

LIBRARY POLICY

Privacy

Santa Monica Public Library makes every effort to protect the privacy of library users. The Library adheres to the American Library Association Code of Ethics that states in Article III:

> *"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."*

This policy establishes guidelines for the protection of personally identifiable information contained in library records or accessible in the library or through its computer systems.

Confidentiality of Library Records

In keeping with the American Library Association's Policy on Confidentiality of Library Records and Policy Concerning Confidentiality of Personally Identifiable Information About Library Users and State of California Government Code §6267, Santa Monica Public Library staff will not respond to any informal request by a third party for personally identifiable information about any library user. Such information includes database search records, reference interviews, email requests for information, circulation records, interlibrary loan records, and other personally identifiable uses of library materials, facilities, or services.

Personally identifiable information may be released only to a law enforcement agency after presentation of an order by a court of competent jurisdiction issued in proper form (a court issued subpoena or search warrant) and/or under the provisions of the USA Patriot Act.

The USA PATRIOT Act

The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act) became law on Oct. 26, 2001. Under provisions of the act, the Federal Bureau of Investigation (FBI) and law enforcement officials may seek court orders for Library records for investigations relevant to national security or terrorism. Libraries or librarians served with these search warrants may not disclose, under penalty of law, the existence of the warrants or the fact that records were produced as a result of the warrants. Patrons cannot be told their records were given to law enforcement agencies or that they were the subjects of FBI investigations.

Personally Identifiable Information

Santa Monica Public Library will collect only the information needed to contact library users, such as mailing address, email address, phone number, etc., in order to ensure the proper notification, lending, and return of library materials and the collection of fines. Records will be retained for the shortest length of time necessary to facilitate library operations.

Individuals may submit their name, email address, postal address, telephone number or other identifying information in order to receive library services such as borrowing privileges, access to Internet stations, receiving personal responses to questions, receiving Library promotional materials, or being added to specific mailing lists. The Library does not sell, rent or otherwise distribute information to outside parties except for possible uses related to the recovery of materials. However, library records may be subject to disclosure to law enforcement officials under provisions of the USA PATRIOT Act Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act) and under some circumstances librarians may be forbidden to disclose that certain records have been requested or obtained

Email reference questions submitted to the Library will be retained for no more than twelve months. Questions are retained only for the purpose of statistics and to assist with follow up queries from clients. The questions themselves and any personal information such as names, email addresses, telephone and fax numbers submitted with the questions are confidential and are treated as other library user information under provisions the Confidentiality of Library Records policy above.

Remote Access to Electronic Resources and Web Server Usage Tracking

The Library may track the usage of the Library Web site and other Library systems and services accessed through Library servers.

The Library automatically collects and stores: the untitled name of the domain and host from which you access the Internet; the Internet protocol (IP) address of the computer you use; the browser software you use and your operating system; the date and time you access our sites; and the Internet address of the site from which you linked directly to our sites.

The Library uses this information only as anonymous aggregate data to determine the number of visitors to different sections of our sites and to help us make our sites more useful. The Library does not use the information to track or record information about individuals.

Cookies on Library Workstations

Cookies are small text files placed on user computers by a Web site to enable customization of individual visits. Some Library electronic services, such as the Library Catalog and remote databases, set temporary cookies for current sessions. These cookies do not capture personal information and are deleted when sessions are ended. Visitors can refuse the cookie by using instructions provided in browsers. Refusing or disabling cookies may result in an inability to access some library services from computers within the Library.

The Library does not use cookies or tracking mechanisms that collect personally identifying information on its smpl.org site or in its online catalog.

Remote Access Databases

Many of the Library's electronic databases can be freely accessed from anywhere by anyone with a Santa Monica library card. The vendors of some of these databases collect statistics such the names of the databases used, how often they are used, and whether they are used in the Library or by remote access and the vendors provide the statistics to the Library. Database vendors used by the Library do not track personal information or specific queries submitted to the databases.

Information Collected

Use of electronic services is logged automatically by servers and software programs are used to summarize data from those visits. The data summaries do not identify individual visitors by name.

Server logs and statistical summaries are reviewed to learn how individual electronic services are used in order to improve Web site content, better manage network traffic, and troubleshoot server problems. Examples of statistics gathered include:

Library Online Catalog

- Patron log-in totals (patron names are not collected)
- Number of hold requests placed (patron names are not included)
- Number of renewals (patron names are not included)
- Search types (keyword, browse, etc.)

In addition, a library user may choose to have the online catalog collect information on such things as favorite authors or subjects in order to be notified when new materials arrive that will be of interest to the user. The Library user has the option to link this type of information to his or her library record, but such linkage is solely at the user's discretion.

Security of Library Records

The Library is part of the City Of Santa Monica network. The City makes every reasonable effort to protect its network from hackers. Email that people send to the Library is not necessarily secure against interception. The Library does not require sensitive information such as social security numbers or credit card numbers, and it is advisable not to send such sensitive information by email.

Procedures for Handling Requests for Library Records

Library staff who are approached by a law enforcement officer or agent with any request or court order to examine or obtain the library records of any library user will ask for identification and direct the officer or agent the City Librarian or other designated person in charge. The City Librarian or the designated person in charge will review the request or search warrant and seek the advice of the City Attorney.

Search warrants signed by the court are immediately enforceable. Staff will request identification and a copy of the warrant. Staff may request that the agent or officers direct inquiries through the City Librarian or the designated person in charge. The City Librarian or designated person in charge may request time to fax the warrant to the City Attorney for verification. If the officer or agent wishes to immediately enforce the search warrant, staff should not interfere but should proceed to notify the City Librarian or designated person in charge of the search.

Supporting Policies and Codes:

American Library Association's	Code of Ethics
American Library Association's	Policy of Confidentiality of Library Records
American Library Association's	Policy Concerning Confidentiality of Personally Identifiable Information about Library Users
State of California's	Government Code Regarding Library Records