ITEM:

ITEMS OF INTEREST TO THE COMMISSION AND ANNOUNCEMENTS

RECOMMENDED ACTION:

- Commissioners or Library staff may make announcements regarding the Library Commission and Library or Friends group activities of interest to other Library Commission members.
Reader Privacy Act Signed into Law

Monday, October 3, 2011

Yee's law protects consumers from unwarranted searches of book purchases

SACRAMENTO — Governor Jerry Brown (D-Oakland) has signed into law the Reader Privacy Act of 2011 — legislation that will require government agencies to seek a court order if they wanted to access consumers' reading records from bookstores and online retailers. The bill — SB 602 authored by Senator Leland Yee (D-San Francisco) establishes consumer protections for book purchases similar to long-established privacy laws for library records.

"California law was completely inadequate when it came to protecting one's privacy for book purchases, especially for online shopping and electronic books," said Yee. "Individuals should be free to buy books without fear of government intrusion and witch hunts. If law enforcement has reason to suspect wrongdoing, they should obtain a court order for such information."

Many bookstores already collect information about readers and their purchases. Digital book services can collect even more detailed information including which books are browsed, how long each page is viewed, and even digital notes made in the margins.

Historically, sensitive reader information has come under fire. During the McCarthy hearings of the 1950s, Americans were questioned about whether they had read Marx or Lenin. In the years following September 11, 2001, the FBI sought patron information from more than 260 libraries.

Just this past year, Amazon was asked by the North Carolina Department of Revenue to turn over 50 million purchase records including books, videos, and other expressive material.

SB 602 updates California state law to ensure that government and third parties cannot demand access Californians' reading records without proper justification.

Yee's law was supported by the American Civil Liberties Union (ACLU), Electronic Frontier Foundation (EFF), Google, Technet, Monsoon Commerce, Aflibs, Goodreads, Consumer Federation of California, and California's lawmakers.

Supporters say that it is essential for state law to keep pace and safeguard readers in the digital age. Electronic or digital books now outsell paperbacks on Amazon.com and over 18 million e-readers are expected to be sold in 2012.

"California should be a leader in ensuring that upgraded technology does not mean downgraded privacy," said Valerie Navarro, Legislative Advocate with the ACLU's California Affiliates. "We should be able to read about anything from politics, to religion to health without worrying that the government might be looking over our shoulder."

"In a recent Google Books decision, the court noted the importance of the privacy concerns with digital books," said Cindy Cohn, Legal Director at the Electronic Frontier Foundation. "This law will ensure that the enhanced reader tracking that is possible through digital books and book services doesn't create a honey pot for government investigators and other lawyers seeking to snoop on what we search for, browse and read in digital bookstores and libraries."

SB 602 will officially become law on January 1, 2012.

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http://dist08.casen.govoffice.com/index.asp?Type=R PR&SRC=fEFA496BC-EDC3-4EF3-8
Here are photos from Orinda City Council Library Presentation 10-18-11.

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Photos from Orinda City Council Library Presentation 10-18-11

This online album has 7 photos and will be available on SkyDrive until 01/23/2012.
As a BayNet member, I toured Google on 11/3. You don't get to see what you really want to see, however, it was a great introduction to their culture and insight on how they interface with data/information and their world wide users.

They emphasized that at any given moment, there are hundreds of millions of searches being performed. Since, the group was primarily librarians; we had a seminar conducted by Dr. Dan Russell, research analyst about searching. His theme was “SenseMaking”.

Given a series of numbers on the screen, all of which were divisible by 10, he asked what the logic to their arrangement was. Answer, was they were in alpha order. “So how did you determine that? The solution was simple. But how do make sense complex data sets etc.? Some of the tools and techniques discussed included:

- Google Spread Sheet. Has your far flung family ever tried emailing to determine when everyone was free to come to a family reunion? Use Google Spread Sheet and save your Excedrin for other headaches.

- Down loading 3D views of famous buildings. One example was if some one wanted to understand a “flying buttress”, this would be a great tool. He suggested trying Notre Dame Cathedral.

- Image Recognition. He demonstrated using an android cell phone, how you can take a picture of something, and within a few seconds, the Wikipedia article appears. Examples included the Hoover Tower at Stanford and the Golden Gate Bridge.

- Music Recognition. He plays in an Irish band. At a recent gig, he did not know a song. So the group started playing and with his cell phone, it picked up the music and within seconds gave him the music.

- Political Data Explorer. This connects the user to stats from government sources.

- Fusion Tables. This is a method of incorporating data from two different sources into one display. He showed how they had taken the 500,000 Wikileaks documents about Afghanistan and over laid them on a country map. Then by clicking on each dot on the map, you came the information from the documents, so one could understand what had been disclosed.

- Google Analytics. This is a tool for business to track “hits” (traffic) on their ads, how to improve targeting etc. One of our guides job is to improve the placement of ads on web sites etc.

- Exact Searches. One person asked the reason the “+” feature was deleted. He said it was not being used correctly. The issue is that Google assumes you are searching in your home country's language. So, if you input a Finnish musical term, it was assumed you have made a mistake if you are in the U.S. However, if you input “xxx”, it will then search only for that term.
• Google Insights. With Google Insights for Search, you can compare search volume patterns across specific regions, categories, time frames and properties. See their website on how to use this tool to determine patterns, seasonality, geographic distributions etc.

• Needlebase is now owned by Google. This is another analytical tool. One example is it could tell you that more people search on “global warming” vs. “climate change”.

• BigQuery is another analytic tool. See their website for details.

**Information Credibility:**

This was a major topic of discussion both during the seminar and at dinner. Google is concerned which is why they have developed some of their analytical tools to help the user determine how credible some of the information is. Some of the librarians expressed concern that even the print media is much less credible than it once was. They cited “fake studies” now being printed in medical journals and expressed concern about the NY Times “for not publishing “facts” but “attitudes””.

**Culture:**

We had dinner “on the house” in one of their 20 cafeterias. Food was excellent. All food for the employees is free. Employees are encouraged to have their friends and families come for lunch/dinner, again for free. This way employees at least see family at times.

You can reserve a “slumber pod”. This is a chair with a hood that comes down over your head and you can nap with no light or sound to disturb you.

It was almost as though you need never leave the GooglePlex. Need a hair cut? Need your clothes washed? Need to do banking? Want to play pool? All is provided. At some of the “fast food” mini cafeterias, the stools are at an angle and look like suction cups.

The employees who we saw were mostly young and quite diverse. The buildings are modern with a large amount of open space between them. It truly has a college campus feel. However, it was quite dark at night between the buildings and in the parking lots – even for those with good vision.

**Bottom Line**

They would not say how many “server farms” they have except to say “MANY”. One of the largest is at The Dalles in Oregon.

As to how many servers in a server farm – it is a state secret – but thousands. I asked would it be tens of thousands? Dan said that would be a small number.

**Google adds every 12 hours in terms of information content the equivalent of the entire Library of Congress.**
Introduction: The following is compiled from my notes, as well as email exchanges with some of the participants.

From Reactive to Proactive

- Deborah Lipoma, Santa Cruz PL. She talked about how for many years, under prior management, the library was administered from a top down approach, with reportedly the library director not listening to, nor asking for staff input. Now, with fewer resources, the county administrator insisted they had to do deliver the same level of service.

This has resulted in developing work groups, work flow procedures and listening to the staff. Management is amazed at the results. Several staff have said that this could have been done sooner, if only they had been asked for their ideas.

- Carol deSilva, San Jose PL. Their problem was the time it took new books etc. to get onto the library shelves. The standard time was from 1-4 weeks. On average, they receive 1,800 books/day. Starting in January 2011, they mapped out the work flow for the first time then with work groups, started asking why they did things the way they did. Now it takes one day to a week to get material on the shelves. She showed pictures of the book receiving room prior to the new work flow which was jammed with book carts. Now it is almost empty and they are remodeling the space so it can be used for other purposes. They also sent >30 book trucks into storage.

- Shellie Cocking, SFPL. In the past, AV material that was “owned” by one branch and was returned to another branch, was always returned back to the “owning” branch. This process could take at least three days. Now the receiving branch puts it on their shelf and updates the catalogue as to where it is. This has resulted in the addition of an equivalent 72,000 DVDs to the collection.

Comment: They all said that work flow procedures and other business procedures that are taught in business schools, and that I was use to in my banking career are not taught in library schools. Thus, each of them said they had to start from ground zero, research how to do work flow diagrams etc.

Collections: Making the Right Choices Within a Limited Material Budget

- Jennifer Baker, St. Helena PL. While the mayor is a library lover, her library does not receive any city funds for material. Thus, her usual $125,000 budget is all raised privately with some coming from the library foundation. However, a significant portion of it comes from service clubs etc. Contributions range from $500 to $5,000. She is a frequent speaker at service clubs and will “pitch” her requests on what she thinks would interest the members...

  The St. Helena Library is a member of SNAP (Solano Napa and Partners) which is a “contract group” (Not a JPA) of the five public libraries and two community college libraries in the two counties. A customer looking at the catalogue in St. Helena also is seeing all the other library collections. From Her e-mail:

  “It’s hard to say for certain how much SNAP saves us but if you consider 15K+ items that were checked out to our patrons came from SNAP partner libraries at $20 an item that would save us A LOT. A fair number of those items may be things that check out more than once but that’s still a big number.

  “The other big savings we get from our partnership is in automation costs and database subscriptions. We purchase most our databases at a consortium rate so we are able to afford more as a group. Contracting for automation services saves us the cost of maintaining our own ILS and support staff. Our total cost for the contract with SNAP is about $80K plus another $16K for delivery. There is NO way we’d be able to provide the same services locally at that cost.

About 40% of our materials budget comes from donations and an endowment fund. The other 60% is funded through CLSA/TBR state money which of course is probably going away. The main thing that separates us from most libraries I think is that we get no money for materials from our local jurisdiction.

She added they get delivery five days a week and about 15 bins come and go each day. She also said that work flow cost reductions require that you examine each step in a process. One small example she said was asking why they stamped in the book 6 times “Property of the St. Helena Public Library”.

• **Megan McArdle Berkeley PL.** She focused on that the collection development manager must constantly advocate to maintain and increase the collection budget. About 2005, the collection budget was over $1 million. Now it is under $900,000. With inflation that is a 40% drop in the budget.

She also discussed the growing cost of periodicals. Some that were reasonable now cost hundreds of dollars a year. One medical journal in five years has gone from $150 to $900. And she emphasized being near UCB, they get a strong demand for what other libraries would be considered “esoteric” journals.

**Fee or Free -- The Ups and Downs of Nonresidential Fees**

• **Doug Hottzman, Monterey PL.** In 1995 they established a fee for library cards for nonresidents. It has since been discontinued. The fee did not produce sufficient revenue to offset the hassle they had with it. Customers would come in and ask for a card and said they lived in Monterey. The staff had to have the Thomas Brothers map to often determine if they were in the city or not.

It also limited their ability to raise funds outside the city. When they would appeal to residents (e.g. Pebble Beach) the typical response was why should they assist – after all you (Monterey PL) are not friendly to us non-residents. In an e-mail Doug added:

“We aren’t really targeting Pebble Beach in particular. I mentioned Pebble Beach as an illustration of what we would be giving up if we were unable to seek donations as a regional resource.

“We have started to see an increase in donations as a result of our fund development program (including our Board’s allocation of Library Trust Fund monies for a part-time Fund Development Coordinator). We have raised about $25,000 as the seed of an endowment fund with the Community Foundation for Monterey County, and we will begin a public campaign for this fund in the spring.”

• **Nancy Fong, San Leandro PL.** They have been charging a non-resident fee for about 30 years. It started after Prop 13 reduced their budget. She said they were told in essence – Join BALIS (Bay Area Library Information Systems — now part of PLP) and you will get reimbursed from the state. They found after joining, since they have a larger than normal collection for a city of their size that 50% of the circulation was to non-residents and residents were complaining about the lack of books and long holds.

Well she said they joined BALIS and the state had no money to reimburse them. Thus, they dropped out of BALIS and now charge a $30/family non-resident fee. She agreed it is a hassle for those with a San Leandro mailing address. This often happens to those living on the south side of 150th Avenue.

• **Derek Wolfgram, Santa Clara County PL (CLA VP/Pres. Elect)** This library serves the unincorporated area of Santa Clara County and several cities excluding San Jose, Santa Clara, Sunnyvale, Mountain View and Los Gatos. Historically, they have been one of the largest recipients of funds from the state through the TBR (Transaction Based Reimbursement) program. Usually >5 million items were circulated to non-residents which equated 43% of their circulation.

Early in 2011, based on the 2011-12 budget as presented which proposed eliminating all state funding for libraries, they started looking at a non-resident fee.

After much study and “gnashing of teeth” they now charge a fee of $80. This has reduced non-resident circulation by 25%. He said this was extremely difficult decision to make "because we librarians are all good socialists – we want to share everything we have for free to all – (tongue in cheek obviously).

In an e-mail exchange: “Alan! I certainly agree that all of the arguments about outsourcing, non-resident fees, “return to source” funding, and resource sharing are interwoven pretty tightly. It’s all about everyone trying to do the best they can with the little that they’ve got. I hope that we can keep that discussion moving, through CLA, in CALTAC, and back at home in all of our libraries.”