

## From the Guest Editors



ELLIE AVIS (she/her) is the Collection Manager at Multnomah County Library. She is a member of the OLA Intellectual Freedom Committee and Tech Services Roundtable, and has been part of the Library Freedom Project since 2019. She holds a Master's Degree in City Planning from UC Berkeley and is currently working on her MLIS. In her free time, Ellie enjoys making and breaking things, DIY music, and riding her bike. Contact her at [elliea@multcolib.org](mailto:elliea@multcolib.org).



KELLY MCELROY (she/her) is the Student Engagement and Community Outreach Librarian and an Associate Professor at Oregon State University. She has been a member of the Library Freedom Project since 2018. Kelly loves to get people talking about things that matter, whether as a facilitator for Oregon Humanities' Conversation Project or as an officer for her union, United Academics OSU. Contact her at [kelly.mcelroy@oregonstate.edu](mailto:kelly.mcelroy@oregonstate.edu) or find her on Twitter at @kellymce.

Protecting patron privacy is a core tenet of the ethics of librarianship. The American Library Association's *Privacy: An Interpretation of the Library Bill of Rights* (2019) emphasizes that protecting the privacy of library users is key to ensuring intellectual freedom because surveillance and monitoring produce a "chilling effect on users' selection, access to, and use of library resources." In 2005, librarians in Connecticut made headlines by standing up against the FBI and the USA Patriot Act to protect patron records (Cowan, 2006). Faced with a clear threat to privacy, these librarians sued the U.S. government in defense of their patrons' rights. However, the daily erosion of privacy facing patrons today is often more insidious and the day-to-day work of protecting privacy in libraries is less visible.

This issue of the *Oregon Library Association Quarterly* is dedicated to stories of how library workers across Oregon try—and sometimes struggle—to live up to our professional responsibility to protect privacy. These stories come from all corners of our library ecosystem, from public and academic institutions and from large and small communities. The articles presented here provide snapshots of some of the current challenges that libraries face around privacy, as well as some practical tips for dealing with these challenges. We have also included a short guide to relevant state laws, which we hope provides context for the issue as a whole. Although these authors describe varied topics, some key themes emerge from this collection of articles:

**Privacy risks are not evenly distributed.** Members of marginalized groups face additional surveillance and greater potential negative consequences. Many of the articles in this collection illustrate this point. As Kenna Warsinske describes, undocumented immigrants may be at risk of many types of seemingly harmless data being accessed by law enforcement to investigate their immigration status. Buzzy Nielsen and Jane Scheppke share their experience of enacting a new policy, intended to support safety, that resulted in the further marginalization of unhoused library patrons. Claudine Taillac notes that queer and trans teenagers exploring their identities may face censure at home or in the library for their reading and suggests some strategies for reducing that risk.

**Protecting privacy isn't easy . . .** Privacy threats are often baked into the very resources libraries provide. How do librarians balance the desire to provide digital content and use data analytics with privacy concerns? Jill Emery paints a picture of Oregon librarians' on-the-ground experiences with

## Guide to State Laws

Oregon Revised Statute (ORS) provides for the protection of library patron records. Under ORS § 192.355, protection of “exemption from disclosure” includes “(23)(b) the name of a library patron together with the address or telephone number: and (23)(c) the electronic mail address of a patron” (Records; Public Reports and Meetings, 2021). The law also protects “(23)(a) circulation records, showing use of specific library material by a named person,” (Records; Public Reports and Meetings, 2021).

For quick reference, the State Library of Oregon maintains an excellent LibGuide titled Library Laws of Oregon as a “selective compilation of the laws, rules, and legal issues directly affecting libraries in the state” (SLO, 2021). The American Library Association provides quick links to U.S. laws for 48 out of the 50 states (ALA, 2021).

## References

- American Library Association. (2018). State Privacy Laws Regarding Library Records. <https://www.ala.org/advocacy/privacy/statelaws>  
Records; Public Reports and Meetings, ORS § 192.355; 192.502 (2021).  
[https://www.oregonlegislature.gov/bills\\_laws/ors/ors192.html](https://www.oregonlegislature.gov/bills_laws/ors/ors192.html)  
State Library of Oregon. (2021). Library Laws of Oregon.  
<https://libguides.osl.state.or.us/c.php?g=827876&p=5911054>

licensing electronic resources and the challenges of negotiating with vendors around privacy, while Meredith Farkas argues that librarians should prioritize privacy more in the face of increasing data collection by library vendors and online services. Miranda Doyle provides insights into this complex privacy landscape in a school setting in the wake of the COVID-19 pandemic.

... **but it can start with library staff.** While it can feel daunting to get started, libraries can begin with such basic practices as reevaluating policies and updating staff training. As Buzzy Nielsen and Jane Scheppke discuss, the development and implementation of policies can offer opportunities to deepen a library's commitment to privacy and security for all users. Claudine Taillac outlines common public services interactions to consider for staff training, where customer service-oriented library workers may unintentionally infringe on user privacy.

**Our privacy work doesn't end at the library doors.** Sam Buechler and Tina Weyland both describe opportunities for librarians to advocate for privacy within their institutions, even when choices about invasive technology may be outside their immediate control. Given our professional commitment to privacy, library workers can ask important questions about practices and technologies in our broader communities, and collaborate to find other solutions.

These issues cross boundaries of library type and department. All library workers have a role to play in advocating for and safeguarding privacy inside the library, online, and within our parent institutions. As the pieces in this issue attest, implementing privacy requires staff training, a willingness to reevaluate current practices in light of new concerns, and sometimes looking outside the library to advocate for our users. We hope this issue sheds some light on how libraries in Oregon are already working on privacy protection, and highlights opportunities where we can continue to work together.

## References

American Library Association. (2019, June 24). *Privacy: An interpretation of the Library Bill of Rights*. <https://www.ala.org/advocacy/intfreedom/librarybill/interpretations/privacy>

Cowan, A. L. (2006, May 30). Four librarians finally break silence in records case. *New York Times*. <https://www.nytimes.com/2006/05/31/nyregion/31library.html>