

### **Guidance to libraries in support of patron privacy as it relates to contact tracing**

On Tuesday, June 23, 2020, the Council of the American Library Association directed the ALA Executive Board to issue further guidance to libraries in support of patron privacy as it relates to contact tracing. This was part of a resolution that the Council passed on protecting privacy and safety in coronavirus-related library policy. The full resolution states:

- 1) Resolved, the American Library Association (ALA) on behalf of its members encourages libraries to adopt policies in response to the COVID-19 pandemic consistent with libraries' core values of intellectual freedom and privacy; encourages libraries to work with public health officials to disseminate crucial information;
- 2) encourages libraries to modify services and practices to protect patrons and staff in the support of the work of first responders;
- 3) encourages libraries to protect our patrons and maintain the trust of our community by not collecting data for non-library purposes, including contact tracing;
- 4) directs the ALA Executive Board to issue further guidance to libraries in support of patron privacy as it relates to contact tracing.

Becky Yoose and Erin Berman wrote up [recommendations](#) in their June 5, 2020 Office of Intellectual Freedom blog post, "The Privacy Perils of Contact Tracing in Libraries." The Executive Board shares their recommendations and includes the following:

- Libraries should only perform contact tracing when mandated by law or a government agency or elected official with responsibility for public health. Libraries should follow data minimization procedures and only collect what is specifically required by the public health, local agency, or legal mandate.
- If the library is required to engage in contact tracing, procedures should be in place to provide access to library services to users who choose not to share personally identifiable information or contact tracing information.
- Library staff should be assigned to collect any contact tracing information privately from users and should be sure that patrons cannot see or access any list kept for the purpose of collecting personally identifiable information.
- Data collected for contact tracing should not be used for any other purpose. .
- Physical logs should be stored in a secure drawer or cabinet in a locked office when not in use. Logs should be shredded as soon as permitted by law.

- If a physical log contains patrons' personally identifiable information or allows third parties to identify library patrons, that log is a record protected by the state library confidentiality statute. The log, and the information contained in the log, should only be shared with third parties as allowed under that statute. Libraries should consult with their legal counsel to ascertain their responsibilities under the law.

For libraries that are required to log patrons' contact information, we encourage libraries to check in with the government agency or elected official to determine when contact logging can be stopped. It may be helpful to have a conversation about how patron information is protected under statute and is treated as confidential information. and to give examples of why this is so important. For example, topics for conversation might be how the law requires that libraries keep private what a patron has checked out how it may be important for a patron's safety or wellness that the library keep that information private, and how and that in many library systems, patrons' borrowing history is automatically disconnected from their borrower card information upon checking in an item, unless that patron chooses to save their borrowing history.