

**SONOMA COUNTY LIBRARY COMMISSION  
RESPONSE TO THE 2009-2010 GRAND JURY REPORT**

**INTRODUCTION**

The Sonoma County Library Commission and staff appreciate the Grand Jury's acknowledgement of the positive steps the library has taken to deal with issues identified in Grand Jury reports the past two years.

The Library's leadership shares the concern about the minority of library users who view problematic images on public computers, and it has taken steps to deal with the problem that do not require filters.

Sonoma County's residents have widely differing views on the subject of filtering. This fact is clear from discussions with Library Advisory Boards throughout the system as well as the extensive public discussions in 1999-2000. During the past six months, the Commission and Library Advisory Boards have discussed the Library's current practice and continue to support the Library's current approach.

We still believe that our response on this issue last year is valid, and a copy is attached as Appendix A.

**HOW THE LIBRARY SEES THE PROBLEM**

The Library is responsible for providing a safe, healthy environment in which patrons access services. This means working to ensure that no patron is forced to view objectionable material while using the library. It also means not censoring material being viewed privately by a patron, as long as the material remains private.

While the Grand Jury has identified some of the objectionable material at issue, it is not just sexual material which may be inappropriate or offensive. Depictions of graphic violence may be offensive to some patrons, as may be hate speech. Still others may find extreme religious or political views offensive.

Objectionable material may be viewed on Library computers, or on individual laptops/ipads/netbooks, brought into the Library by patrons. Objectionable websites may be accessed through the Library wireless system, or the material may already be loaded onto a patron's laptop/ipad/netbook.

Therefore, the broader question for the Library is how best to provide a safe, healthy environment for all the patrons in the face of fast moving technology. We believe the best approach is to address the matter with the end user, rather than trying to make the material inaccessible.

**COMMENTS ON FINDINGS**

Before responding to the Grand Jury's recommendations, we would like to respond to three of the findings in the Grand Jury's response.

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Sonoma County Library

DATE 9/10/10 BY 

**F-2 Library management has not conducted any recent research into the effectiveness of filters.**

The Library's staff is familiar with the most recent literature on the effectiveness of filters and has confirmed this through discussions with Lori Bowen Ayre (LibraryFiltering.org) as well as the staff person at the San Jose Public Library who monitors filtering products. There are no new products since the most recent and most thorough review of filtering products, which was the report prepared by the staff of the San Jose Public Library.

**F-5 A 60% discount on Internet services could be realized through the e-rate program.**

The Library could realize a savings of approximately \$13,000 a year if it complied with the Children's Internet Protection Act (CIPA); however, this would not recover the ongoing cost of equipment and staff time to maintain a systemwide library filtering program.

- Of the Library's 13 service outlets, eleven branches systemwide have over 150 public computers. To achieve economies, the Library manages these computers centrally. Any filtering product would be installed on the Library's network and not on individual machines.
- Loading filtering software on individual computers would require at least one full-time person to manage them because it requires updating each computer regularly as well as providing technical support.
- Installing filters would require a system of networked proxy servers, which would have both direct costs as well as ongoing staff costs.
- The Grand Jury assumes that staff can easily disable a computer if an adult requests such assistance. While it is technically simple to disable a single machine, the Phoenix Public Library discovered that the staff time required to manage the services at each building can be considerable—including the time to actually turn the filtering off as well as to "maintain lists of 'always permitted' websites and 'never permitted' websites that customize the filter program over time to better reflect the library's specific policy and needs." At a time when the Library is keeping positions vacant to save money, adding to the workload or adding staff is problematic.

**F-5 The more effective pornography filters available are successful in blocking 85% of the websites containing offensive material.**

Products are effective in blocking 85% of content—**but not images**—which are the primary concern of the Library. The average accuracy of filters in blocking inappropriate images is less than 50%, and users can easily work around filters in a variety of ways as cited in last year's response.

## **WHAT IS ACTUALLY HAPPENING AT THE LIBRARY?**

The Library is treating viewing of inappropriate images as a behavioral issue and has been tracking problems with the assistance of the public service staff. Here is an overview of the Library's current practice to control the misuse of its public internet computers by a small minority of people.

- The Sonoma County Library has an acceptable use agreement that Library patrons must promise to follow when using public computers; if they do not agree, they are not able to log on to the computer.
- If someone is observed viewing material that is not appropriate for a public institution, Library staff warn the patron and treat it as a behavior issue.
- Staff at the Library's 11 branches have completed an "incident report" each time that a patron is warned, and they generally agree that this approach is successful. Overall, the number of incidents is a small percentage of the Library's thousands of computer users. Also, staff report that there are very few problems at the Central Library.
- Updated software on the Library's public computers requires that users have a valid library card and PIN number—this has discouraged a number of people whose use of the library's computers may not be consistent with the Library's mission.
- The Library's long-standing policy is that parents and care-givers are responsible for their children's behavior in the Library.
- Computers in the children's room are set up to encourage children to visit pre-screened sites. The Library's children's computers are generally within the view of library staff, who do not report any problems with children's use of the computers.
- Computers in the children's room are not available for adult patrons to use.

## **RESPONSE TO RECOMMENDATIONS**

- R-1. As a pilot and so that all parties may get a better understanding of how the filters work, install filters on ALL computers in the Children's Section.**

The Library will not implement this recommendation.

Staff report no problems with public computers in children's areas systemwide. As noted above, children's computers are not available for use by adult patrons. While computers in the children's section are generally set up within the library staff's line of sight, parents are expected to monitor the websites their children are visiting on the library computer.

Additionally, the Library Commission and management believe that filters give parents and caregivers a false sense of security—and that parents are in the best position to determine what their children should view.

**R-2. Appoint a committee to update its research and analysis on the current filters on the market and their relative effectiveness (for ultimate use in the main library computers).**

The Library will not implement this recommendation.

The Library staff has verified that the information it has is complete and current. The issue appears to be a misunderstanding of our previous statement about filters' effectiveness and the way that filters work. Images are the primary problem. The filters' blocking effectiveness for text is 85%; the effectiveness for blocking images is less than 50%.

**R-3 Research committee is to report back to next year's (2010-2011) Grand Jury in writing with their findings.**

The Library will not implement this recommendation.

As noted above, the issue appears to be a misunderstanding of our previous statement about filters' effectiveness and the way that filters work. Images are the primary problem. The filters' blocking effectiveness for text is 85%; the effectiveness for blocking images is less than 50%.

**R-4 Work with Board of Supervisors to appropriate proper funding for a reorganization of the computers on the main aisle at the Central Library.**

The Library will not implement this recommendation.

We are unclear why the Grand Jury recommended that the Library request funding from the Board of Supervisors. Under the Joint Powers Agreement that established the Library, the Board of Supervisors has financial oversight, and the Library's budget is independent of the County. Additionally, the buildings are provided by the local jurisdictions. Santa Rosa's library facilities are owned by the City of Santa Rosa. The only facility that is owned by the County is the Guerneville Regional Library.

In addition to the confusion about responsibility for the Central Library building, there are several issues with implementing this recommendation:

- The move would require major re-arrangement of the Central Library's public area—we cannot just move the computers. In addition, it would require a major re-wiring to provide data and electrical lines that are required.
- An even greater problem is that moving the computers out of the center of the library's public area would actually make it easier for people to behave in a more questionable manner—because of the reduced visibility to other

library patrons.

- Staff must be able to assist patrons who are having difficulty with the computers or printers. Moving the computers to the corner would move them further from the staff desks.

**APPENDIX A**  
**EXCERPT FROM THE LIBRARY'S RESPONSE TO THE 2008-09 GRAND**  
**JURY REPORT**

*The Library Commission shares your concern that a limited number of patrons view inappropriate images on the Library's public computers. The Library staff is testing and evaluating alternatives to filtering that allow access to information but discourage people whose use of internet resources is not suitable. The Library Commission has asked staff for monthly updates on the progress on this project.*

*The Library Commission does not believe that filtering is consistent with the Library's mission. In addition, the technology is not effective for a number of reasons. Here are some examples of problems with filtering software:*

- *The Supreme Court opinion in U.S. v. American Library Association, Inc., (2003) 539 U.S. 194, has been interpreted as requiring that libraries disable filters if an adult requests it. Adults would still be free to view objectionable materials if they wish.*
- *Filtering can block Library users' access to legitimate information. Over-blocking of text content is a problem. People who are searching for medical information or information that may be legitimate but that includes a term that is filtered are unable to find the resources they need. Sites blocked by various filtering products include WebMD and a World War II history web site.*
- *The primary problem cited by the Grand Jury findings is the viewing of objectionable images. Research indicates that filtering software has an effectiveness rate of 48% in filtering images.*
- *Also, computer users can easily "fool" the filtering software to reach internet sites by using misspellings (pron vs. porn), use of plural word forms, using a portal site (e.g., Linkbase.org) or a site like Peacefire.org whose sole purpose is helping people get around filters.*