AGENDA

The Denver Public Library Commission

Special Commission Meeting

Tuesday, July 8, 2025, 1:00 pm-2:00 pm

Central Library Park View Pavilion 10 W 14th Ave, Denver, CO 80204 Link to join virtual Zoom Meeting:https://us02web.zoom.us/j/88239162114

- 1. Call to order.
- 2. Introductions.
- 3. Public Comment Period.
- 4. City Librarian Candidate. Laurie Mathews
- 5. Approval of Budget. Will Schoeppner
- 6. Approval of Updates to Privacy Policy. Theresa Liquori
- 7. Other Business.
- 8. Adjournment.

Agenda Item 4

Requested Action: Approval

A newly enacted state bill SB25-276 (C.R.S. 24-74.1-10) details restrictions for public institutions about what data they can (and cannot) collect specifically around immigration status, and requires related policy to be made publicly available. After reviewing the bill and in consultation with our city attorney, we verified that we are in compliance, and made slight updates to our staff guidance on interactions with law enforcement. This compliance and the related procedures are reflected in updates to the Privacy Policy.

Privacy Policy

General Privacy Policy

Your privacy is important to us, so we do everything we can to protect and respect your personal information and keep your library records confidential. The library strives to collect the least amount of personally identifiable information we can and avoids creating unnecessary records. Our library does not share your personally identifiable information with third parties unless required by law.

The library follows Colorado Laws <u>C.R.S. 24-90-119</u>: <u>Privacy of User Records</u> and <u>C.R.S. 24-73-101</u>: <u>Consumer Data Privacy</u> which require all public libraries in Colorado to guarantee the privacy of customer records and personal information.

What Information Do We Collect and Why?

We may collect the following personal information to access library services:

- Name
- Date of Birth
- Address
- Telephone Number and/or Email Address
- Library barcode number
- Items currently checked-out, hold requests, and current interlibrary loans
- Fee and payment history
- Sign-up information for library classes and events
- Demographic information

To ensure equal access to limited, shared, public resources, you will be asked to present official photo ID when registering for a library card. This ensures we issue one card per user, promotes account accuracy and connects transactions with the correct user. Demographic information may be

collected so that we can evaluate how well we are equitably serving the full Denver community.

Who Has Access to Your Account?

All library customer records are confidential. Library records may only be disclosed to:

- Library staff performing job duties.
- The account owner, upon presentation of their library card or proof of identity. Any person in possession of a physical library card or a library card number, is assumed to be the account holder, or have the permission of the account holder to access the account. Make sure to report lost or stolen cards immediately and only share your card number with people you trust.
- Law enforcement with a court order or subpoena.

If you forget your library card, you can check out and retrieve account information with a photo ID.

Your hold items will check out only to your library card. If you want a friend or family member to pick up your hold items, be sure to give them your card. You may call <u>your branch library</u> or check <u>My Account</u> online to get detailed information about your holds by providing your library card number.

Someone else may pay your fees, but specific information about your account history will not be disclosed to anyone but you.

Children's records are equally protected. We ask parents to use their child's library card when checking out, renewing or paying fees on items for their child.

Library Materials and Borrowing History

The library does not keep a record of your borrowing history beyond operational requirements, unless you choose to opt-in to saving your Reading History on your online account page. Once you return an item it is removed from your account.

Radio Frequency Identification (RFID) technology is used to check out library materials, keep a record of the library collection, and secure the collection from theft. RFID tags attached to items only contain the barcode number of the item. No personal library customer or transaction information is stored on the RFID tag.

Data & Network Security

The library is committed to data security and keeping personally identifiable information safe. The library monitors network activity to identify unauthorized attempts to upload or change information or otherwise cause damage. The library operates secure data networks using industry standard security hardware and software protection measures and following recognized Information Security standards and frameworks. Only authorized individuals have access to the information provided by our users.

Public Computers and Wireless Network

The library does not keep a record of your activities on any public computer or on our wireless network. Any record of browsing history and activities on our public computers are removed when you log out. Information about your public computer reservation (library card number, computer number, reservation time, print jobs submitted, and session duration) is purged after 24 hours. No personally identifiable information is collected by the library when you use the library's public wireless network to connect your device to the internet.

Surveillance Cameras

Many of our libraries have surveillance cameras outside and/or inside the building, and some Library Security Officers may wear body cameras that can record customer contacts, interviews, and other events when recording could provide value as evidence. Video footage may be stored for up to 21 days.

Release of any surveillance or body camera video footage must be approved by the Security Manager or the Director of Finance, Facilities, and Security. Interior video footage will only be shared as required by law or as necessary for the reasonable operation of the Library. Exterior footage that does not show any library customers or use may be shared at the discretion of the Security Manager or the Director of Finance, Facilities, and Security.

Library Website

What info is collected when you visit the library website?

The information collected by the library's website could include:

- URL (uniform resource locator) of the web site you visited previous to the library's website
- Domain names and/or IP addresses (numbers automatically assigned to your computer whenever you are connected to the internet)
- The browser version you are using to access the web site
- Hardware and software type and language
- Cookie data
- Date and time of requests
- Demographic data Interaction data
- Page Views, click data, and navigation flow

IP Anonymization is enabled on all site tracking software on our sites, including our catalog. We also have installed and configured software on our websites that supports the DoNotTrack feature available in most modern web browsers. This protects our customers as library records are not being passed by the software.

HTTPS

The library's websites are encrypted with HTTPS. All communications between your browser and the library website are private. Your account and catalog searching is also encrypted.

Cookies

Some library applications use small files called "cookies." A cookie is created by a website and saved by your browser each time a site is visited. Cookies are stored on your computer and can transmit personal information. Cookies are used to remember information about preferences and customization on the pages you visit. You can refuse to accept cookies, disable cookies, and remove cookies from your hard drive by following the instructions provided by your browser. Some third-party services may not work if cookies are disabled.

Non-library Websites

Non-library websites may be linked through the library's website and may not follow the same privacy policies as the library. Visitors to such sites are advised to check the privacy statements of such sites and to be cautious about providing personally identifiable information without a clear understanding of how the information will be used.

3rd Party Vendors

Some online services offered by the library are serviced by third-party vendors. These vendors have their own privacy policies and terms of service and they are not beholden to the library's privacy policies or terms of service.

The library works with third-party vendors to provide online learning, digital collections, streaming media content, analytics, and more. When you leave the library website, your interaction with these systems will be governed by their individual privacy policies. Some of these vendors may collect and share information you provide to them or require you to create a personal account in order to use their services. Check the vendor's privacy statement and terms of service to learn more about how your data is tracked, stored, and used by them.

Last Updated October 21, 2021.

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Policies Regarding Data and Access

In accordance with C.R.S. 24-74.1-101, *et seq.*, the library hereby adopts these Policies Regarding Data and Access.

- (1) Beginning July 1, 2025, the library shall not collect the following, except as required by applicable federal or state law, as necessary to perform duties, or to verify a person's eligibility for a government-funded program if verification is a necessary condition of government funding or participation:
 - (a) Place of birth;
 - (b) Immigration or citizenship status; or
 - (c) Information from passports, permanent resident cards, alien registration cards, or employment authorization documents.
- (2) It is not a violation of Section 1 above (C.R.S. 24-74.1-102(1)) for the library to release a record pursuant to:
 - (a) A subpoena issued by a federal judge or federal magistrate;
 - (b) An order issued by a federal judge or federal magistrate;
 - (c) A warrant issued by a federal judge or federal magistrate;
 - (d) The consent of the library patron through a valid release of information; or
 - (e) The consent of the library patron's parent or guardian through a valid release of information.
- (3) The following procedures are adopted by the library in conformance with C.R.S. 24-74.1-102(3)(a):
 - (a) Procedures to provide, as required by applicable state or federal law, any personal identifying information about a patron who accessed or is accessing services, or was or is present, at the library:
 - (I) If the patron, or the patron's parent or guardian, has provided a valid release of information to the library, then the library employee may release the personal identifying information described in the valid release of information.
 - (II) If approached by a law enforcement officer with a warrant or court order signed by a federal judge or federal magistrate, the library employee is to allow the

- law enforcement officer to proceed with the activities described in the warrant or court order.
- (III) If the law enforcement officer does not have a warrant or court order signed by a federal judge or federal magistrate, the library employee is to advise the law enforcement officer that, before proceeding with his or her request, library staff must first notify and receive direction from the library supervisor and the City Attorney's Office.
- (IV) The library employee is to request to be provided with a copy of any warrant or court order signed by a federal judge or federal magistrate. If provided, then the library employee shall cooperate with the law enforcement officer with the search detailed in the warrant or court order and library employees are instructed to not take any action that would obstruct that search. The library employee is to make copies of all documents provided for library record purposes.
- (V) If no signed warrant or court order is provided, the library employee is to ask to see, and make a copy of or note, the information described below in Section 3(f). The library employee is to also ask for and copy or note the telephone number of the officer's supervisor. The library employee is to request that the law enforcement officer explain the purpose of the officer's visit, and to accurately note the response. The library employee is to ask the officer to produce any documentation that authorizes access to the requested personal identifying information. If they are unable to produce any documentation the library employee is to inform the law enforcement officer of this **Privacy Policy** and to inform them that the library employee is unable to assist them.
- (VI) The library employee will document the law enforcement officer's actions while on library

- premises, and will not interfere or impede the officer's movements or actions.
- (VII) The library employee will contact their supervisor and the City Attorney's Office for further guidance and legal support.
- (b) Procedures to provide, as required by applicable state or federal law, any personal identifying information about a patron of the library:
 - (I) If the patron, or the patron's parent or guardian, has provided a valid release of information to the library, then the library employee may release the personal identifying information described in the valid release of information.
 - (II) If approached by a law enforcement officer with a warrant or court order signed by a federal judge or federal magistrate, the library employee is to allow the law enforcement officer to proceed with the activities described in the warrant or court order.
 - (III) If the law enforcement officer does not have a warrant or court order signed by a federal judge or federal magistrate, the library employee is to advise the law enforcement officer that, before proceeding with his or her request, library staff must first notify and receive direction from the library supervisor and the City Attorney's Office.
 - (IV) The library employee is to request to be provided with a copy of any warrant or court order signed by a federal judge or federal magistrate. If provided, then the library employee shall cooperate with the law enforcement officer with the search detailed in the warrant or court order and library employees are instructed to not take any action that would obstruct that search. The library employee is to make copies of all documents provided for library record purposes.

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- (VI) The library employee will document the law enforcement officer's actions while on library premises, and will not interfere or impede the officer's movements or actions.
- (VII) The library employee will contact their supervisor and the City Attorney's Office for further guidance and legal support.
- (c) Procedures to provide access, or consent to access, as required by applicable state and federal law, to a part of the library's facility, auxiliary facility, property or grounds that is not accessible to the public:
 - (I) If approached by a law enforcement officer with a warrant or court order signed by a federal judge or federal magistrate, the library employee is to allow the law enforcement officer to proceed with the activities described in the warrant or court order.
 - (II) If the law enforcement officer does not have a warrant or court order signed by a federal judge or federal magistrate, the library employee is to advise the law enforcement officer that, before proceeding with his

- or her request, library staff must first notify and receive direction from the library supervisor and the City Attorney's Office.
- (III) The library employee is to request to be provided with a copy of any warrant or court order signed by a federal judge or federal magistrate. If provided, then the library employee shall cooperate with the law enforcement officer with the search detailed in the warrant or court order and library employees are instructed to not take any action that would obstruct that search. The library employee is to make copies of all documents provided for library record purposes.
- (IV) If no signed warrant or court order is provided, the library employee is to ask to see, and make a copy of or note, the information described below in Section 3(f). The library employee is to also ask for and copy or note the telephone number of the officer's supervisor. The library employee is to request that the law enforcement officer explain the purpose of the officer's visit, and to accurately note the response. The library employee is to ask the officer to produce any documentation that authorizes access to the requested personal identifying information. If they are unable to produce any documentation the library employee is to inform the law enforcement officer of this Privacy Policy and to inform them that the library employee is unable to assist them.
- (V) The library employee will document the law enforcement officer's actions while on library premises, and will not interfere or impede the officer's movements or actions.
- (VI) The library employee will contact their supervisor and the City Attorney's Office for further guidance and legal support.

- (d) Procedures to properly release information required by state and federal law that is otherwise protected if federal immigration authorities have: (1) a subpoena issued by a federal judge or magistrate; (2) an order issued by a federal judge or federal magistrate to allow access; or (3) a warrant issued by a federal judge or magistrate:
 - (I) If approached by a law enforcement officer with a subpoena, warrant or court order signed by a federal judge or federal magistrate, the library employee is to allow the law enforcement officer to proceed with the activities described in the warrant or court order.
 - (II) The library employee is to request to be provided with a copy of any subpoena, warrant or court order signed by a federal judge or federal magistrate. If provided, then the library employee shall cooperate with the law enforcement officer with the search detailed in the warrant or court order and library employees are instructed to not take any action that would obstruct that search. The library employee is to make copies of all documents provided for library record purposes.
 - (III) The library employee will contact their supervisor and the City Attorney's Office for further guidance and legal support.
- (e) In the event that information or access is requested for federal immigration enforcement, the designated responsible employees to be notified shall be the on-duty library branch supervisor and the on-duty library safety and security officer.
- (f) In addition to any other information provided by the law enforcement officer, at least the following information shall be requested and documented by the library in the event of any federal immigration enforcement activities occurring at the library:
 - (I) First and last name of the person leading the federal immigration enforcement;

- (II) Employer Agency;
- (III) Badge number; and
- (IV) A copy of the subpoena issued by a federal judge or magistrate, warrant issued by a federal judge or magistrate, or order issued by a federal judge or magistrate to allow access.
- (g) Procedures to communicate information, as appropriate, about a federal immigration authority's request for information or access to the library patron who was the subject of the request, or the parent, guardian, or relative of the library patron:
 - (I) In the event of a federal immigration authority's request for information or access, to the extent that the library has the contact information of the library patron, or the parent, guardian, or relative of the library patron, the library shall use its best efforts to contact such individual(s) to inform them of such activities as soon as practicable after such request has been submitted to the Library.
 - (II) The library shall retain all documentation received in connection with a federal immigration authority's request for information or access in accordance with the records retention policy of the City and County of Denver.
- (h) In accordance with C.R.S. 24-74.1-103(3)(b), the library shall make these Policies Regarding Data and Access available through the traditional means that the library uses to communicate with employees, patrons, parents, guardians, and relatives.

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