CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: San José Library Commission

FROM: Jane E. Light, Director
Library Department

SUBJECT: **SEE BELOW**

DATE: February 5, 2008

Approved

Date

Subject: UPDATE ON INTERNET FILTERING ISSUE AND POLICY OPTIONS FOR COMMISSION CONSIDERATION/ RECOMENDATION

BACKGROUND

In October 2007, San José Councilmember Pete Constant proposed to the Rules Committee that Council discuss the issue of Library Internet access and consider a proposed revised City Internet Access Policy. (October 24, 2007: Item G3). That proposed policy is Attachment A to this report. On November 14, 2007 the Rules Committee received an initial response by the Library Department which identified a policy review plan and workload assessment, and Rules also reviewed responses by both the Library and the City Attorney regarding several questions relating to the cost/revenue impacts, legal issues, and implementation steps and obstacles. The Commission has previously received all of these documents. The Library was directed to provide a status report in January 2008. That status report is included as Attachment B to this memorandum.

At the January 23, 2008 Rules Committee, the Committee members approved the status report with direction to expand outreach to parent groups, consider a filtering pilot at one or more branches as part of a final report, and to return to the Rules Committee when the workplan is completed.

RESEARCH

As part of the policy review workplan approved by the Rules Committee, the Library undertook several types of research. These included a review of studies about filtering software in libraries, data collection from ten large library jurisdictions, and in-house testing of three content filters.

The libraries listed below were contacted regarding their choice and implementation of filters on public access computers. Each was asked for information regarding costs, brand of filter used, technical and functional specifications used in selecting the filtering product, impacts on staff and users, etc.

Alameda County (CA)
Los Angeles County (CA)
Sacramento (CA)
San Francisco (CA)
Santa Clara County (CA)
Chicago (IL)
Denver (CO)
King County (WA) – Seattle region
Multnomah County (OR) - Portland
Phoenix (AZ)

Several staff made calls to the other libraries and the data has not yet been compiled for inclusion in a final report.

San Francisco and Chicago do not use filters. The eight surveyed jurisdictions which use filters all do so on the computers in the children's and teen areas of the facilities. One jurisdiction requires staff to disable the filter for adults upon request a per-session basis. Another allows for permanent selection of unfiltered access at the adult customer's request, and the others allow a per-session selection of unfiltered access to be made by the customer upon log-in either directly by the customer or by requesting staff to disable the filter for the session. Alameda County does not filter computers except in children's and teen areas of the library.

Phoenix is the only library that requires an always-on filtering with individual sites unblocked only upon customer request which is sent to the filter company after review by a team of librarians. The library does not temporarily unblock, unless three librarians agree that the request is an emergency. Final decision about permanent blocking or unblocking resides with the software company, not the library.

While the external survey was being conducted, Library information technology staff and the library's new Digital Futures Senior Librarian worked quickly to review possible filter programs, based on several factors:

- trying to find one that would implement the filtering as Councilmember Constant proposed in his October 2007 proposed policy;
- other jurisdiction recommendations; and,
- references from professional journals and reports which have already researched a variety of products available and used by public libraries.

The purpose of the research was to learn the degree to which software filters are presently able to block child pornography or obscenity and images that are harmful to minors and not block other images and sites. No recently published studies were found, so this research could provide up to date information. The three programs, evaluated by librarians from both SJPL and the University Library, were:

(1) WebSense: This network-based program is used by the City of San Jose to implement Internet access controls for most City employees. The Library's Internet network is separate from the City's. It includes the King Library, serving the University Library users in the joint use library, as well as the branch library system. Other libraries surveyed indicated they use WebSense (Alameda County for children's area computers only, King County, and Phoenix).
(2) CyberPatrol: Sacramento uses this product, and SJPL wanted to test the results against WebSense. This is a stand-alone product.
(3) FilterGate: This option was recommended to SJPL staff by other users and reports indicated it to be an interesting option to consider. This is a stand-alone product.

The details of the testing process and the results have been summarized by Sarah Houghton-Jan, SJPL's Digital Futures Manager, and are provided under separate cover for the Library Commission's information as part of the agenda for the February 13 meeting.

In summary, our testing confirmed earlier published results that have concluded 15-20% of keyword searches will be subject to over-blocking and 15-20% of keyword searches will be under-blocked. However, our testing did reveal new information about the ability of content software to handle content not accessed through keyword searches or direct URL entry. All the software we tested was ineffective in filtering and blocking other, newer types of Internet uses, specifically image search engine results, RSS feeds, and email attachments.

OPTIONS

Library staff, with the assistance of the City's IT Department and SJSU library personnel, is undertaking a detailed analysis of costs, library user impacts, staff and operational impacts for four options to be included in a final report to the Rules Committee and City Council.

1. No filter software installed; consider additional measures to be put in place.
2. Install filters on computers in children's and teen areas only; plus any additional measures recommended to be put in place.
3. Install filters on computers in children's and teen areas, and allow customers in other areas to select filtered access if preferred; plus any additional measures recommended to be put in place.
4. Filter all library computers at all times as described in Councilmember Pete Constant's proposal; plus any additional measures to be put in place.

These options are discussed below. In-depth analysis of these options is ongoing, but this preliminary information may be sufficient for the Commission in considering its policy recommendation to the City Council. The City Attorney's Office is reviewing, from a legal standpoint, the options listed above, and will give comments separately to City Council if any of these options are adopted as policy.

None of these options replaces required staff observation, response to complaints, and action to manage customer behavior. Regardless of the City's policy decision to filter Internet access or not, library staff will always be required to manage the behavior of library users. The expectation that they will do so and the training, supervision and support that they must be provided does not change at all.

OPTION 1: No filter software installed; other measures to be put in place such as privacy screens and moving computers out of view in high traffic areas.

COSTS:

Start-up 1st year costs: up to $60,000 for purchase of privacy screens for some computers and staff costs to move some computer monitors from view of main aisles/traffic patterns.
Ongoing annual costs: dependent on need for replacement of privacy screens.

ANALYSIS OF OPTION:

This option would be the least costly. Given the failure of all of the tested filters to effectively block images that may then be inadvertently viewed by others, this approach may be effective in allaying such concerns. It would have the least impact on the great majority of library users, both teens and adults, who search the Internet for information and material that would be incorrectly blocked by content software. Library staff would need to ensure that the privacy screens

remained fixed to monitors and that monitors are not visible from main traffic patterns. This option presents no conflict with the Joint Library Operations Agreement, since Internet access by University students and personnel would be unaffected.

The SJPL customer conduct policy helps guide our staff and provides authority for managing behaviors, including terminating the right to stay at the library if other customers' ability to use the library is being compromised.

OPTION 2: Install filters on computers in children's and teen areas only; plus other measures to be put in place such as privacy screens and moving computers out of view in high traffic areas.

COSTS:

Start-up 1st year costs: $81,000 (estimated hardware, software and staffing costs for implementation) plus up to $60,000 for purchase of privacy screens for some computers and staff costs to move some computer monitors

Ongoing annual costs: $10,000 not including need for replacement of privacy screens.

ANALYSIS:

This option will require the purchase and installation of a filtering program which would be applied to some computers. The WebSense filter product website was used to estimate these costs and steps/staffing requirements for implementation, which are described in some detail in the section of this report that follows the description of options, since implementation of any of the filtering options would be similar. As this option would affect children's and teen areas only, it is anticipated there would be no impact on the Joint Library Operations Agreement. University students could use adult and general area computers without any filter restrictions on access.

Operationally, a public information and education campaign would be developed to inform families and young computer users of the new policy. Library brochures, online information, and card applications would be rewritten and reprinted to reflect the policy change. Staff training would be provided to all public service staff to help them answer the day-to-day questions and concerns of the public. Staff would establish a process for reviewing and responding to requests from children, teens, or parents to request that the software company permanently block or unblock sites. Login pages and block notification pages would be prepared for display to users.

OPTION 3: Install filters on computers in children's and teen areas, and allow customers in other areas to select for filtered access if preferred; plus any additional measures recommended to be put in place.

COSTS:

Start-up 1st year costs: $185,000 (estimated hardware, software and staffing costs for implementation) plus up to $60,000 for purchase of privacy screens for some computers and staff costs to move some computer monitors

Ongoing annual costs: $38,000 not including need for replacement of privacy screens.

ANALYSIS:

Filtering software would be installed on all children's and teen area computers, and all other public access computers would offer users the choice of filtered or unfiltered access each time they log in. Implementation impacts would be similar to Option 2 for the information technology

staff and are explained in detail below. The difference in costs between Options 2 and 3 reflects the annual software licensing cost for many more computers and two more servers.

This option gives parents of teens the option of instructing them to use the filtered option regardless if the teen is using a computer in the teen room or another area of the library. It should be acceptable to SJSU because University personnel and students could select either filtered or unfiltered Internet access. Implementation of the ability to treat university users separately would require specialized programming and may take some time to ensure compatibility with the current library database vendor.

In terms of operational implementation, staff training for all public service staff would be necessary to explain the options of selecting for unfiltered or filtered access as well as the location of filtered computers. Libraries using this option report that when asked by a customer to block/unblock a filtered site, staff simply asks the customer to log out and log back in with a different filtering selection. Thus, staff impact for handling blocking/unblocking requests is not as great. Initial implementation of filtering at SJPL would involve very heavy interaction between all SJPL floor staff and customers who would be unfamiliar with the new options and rules relating to Internet computer access.

Operationally, a public information and education materials would be developed to inform library computer users and parents of the new policy. Library brochures, online information, and card applications would be rewritten and reprinted to reflect the policy change. Staff training would be provided to all public service staff to help them answer the day-to-day questions and concerns of the public. Staff would establish a process for reviewing and responding to requests from children, teens, or parents to request that the software company permanently block or unblock sites. Login pages and block notification pages would be prepared for display to users.

OPTION 4: Filter all library computers at all times with an IT Specialist on duty to promptly review and respond to requests for temporary unblocking of blocked sites (Councilmember Constant's proposal).

COSTS:

Start-up 1st year costs: $424,000 (hardware, software, staffing for implementation and operations
Ongoing annual costs: $278,000 (software license and staffing)

ANALYSIS OF OPTION:

Councilmember Pete Constant's proposed City Internet Access Policy requires that all library computers use filtering technology. Patrons 17 years old or more could choose an Internet session with a basic filter or one that has additional filtering. The intent of the basic filter is to block websites that contain child pornography or material that is obscene. Library staff has been unable to identify any Internet filter that can block specifically and only child pornography and obscene materials.

The stated intent of the additional filtering is to block websites that contain material that is harmful to minors. If a library user aged 17 or over wishes to access a site blocked for research or other lawful purpose, s/he may request that the site be unblocked temporarily or permanently. For a temporary unblock request, the customer would make the request to a library employee,

who would in turn refer it to the IT specialist on duty. If the IT specialist on duty determines that the site is appropriate for viewing, the site will be unblocked for 24 hours. Requesting unblocking of sites will place a burden on library users. They must find a staff member, explain their request, have their request referred to another staff member at another location not accessible to the public, and wait for a time for a response. Library users are often reluctant to even ask for help locating books or magazines, so it can reliably be expected that many, perhaps most, users who find that their search has been blocked will not request unblocking, and thus receive incomplete results for about 15% to 20% of searches.

People under 17 must use the additional filtering and must have parental/guardian consent before requesting that a site be temporarily or permanently unblocked. Some sites would be clearly incorrectly blocked, but these patrons would still require parental consent. Youth who are researching or learning about matters that are not harmful to minors but that they may wish to research on their own without parent knowledge – for example, symptoms of STDs – would no longer have full access to such information at the public library because of over-blocking.

Requests for permanent unblocking would be submitted in writing to library staff who would first simply forward them to the software company. If the software company does not wish to unblock the site, it would presumably inform the library which would in turn inform the patron. The patron could then request library staff (a team of three) to review the request and make a recommendation to the software company, but that recommendation may or may not be accepted and the decision of the software provider is final.

It would not be acceptable to the University to apply this proposed policy to University students or personnel. Implementation of the software filter would have to be carried out in a way that library cardholders whose record shows a patron status of University would have unfiltered access at login. This should be possible, but may require some programming to search our cardholder database for status before applying filtering or not.

From a library operations perspective, this option has all the implementation requirements and costs of Options 2 and 3 for the City and University library IT staff. In addition, the requirement that an on duty IT specialist would be available to provide prompt review of temporary unblocking requests would require additional staffing. Presently, all the IT staff working in the library are fully deployed maintaining the library network, computers and applications. The help desk function provided for library staff is staffed by library pages and student assistants, none of whom would qualify as “IT specialist.” Given that the King library and some of the branches are open seven days a week, and the King Library is open 81 hours each week during the academic year, it would require at least two FTE Network Specialists to cover all open hours.

This requirement under the proposed policy is also problematic in terms of job description. Network technicians are not qualified to determine the legality or illegality of a website, or interpret what is “appropriate for viewing.” However, librarian classifications may also not be qualified to fulfill those purposes.

Training for library staff would need to be extensive. The costs have yet to be determined. Every staff member who answers questions from users, including part time and substitute staff, would have to be trained to smoothly make the referral to the IT specialist for any member of the public

aged 17 or over as well as how to assist customers in requesting permanent blocking or unblocking. In addition, staff would be trained to be proactive in ensuring that adult computer users are receiving all the information they need and encouraged to request unblocking if needed. New brochures and materials to announce the changes would be created and distributed for existing and new users of SJPL. Login pages and block notification pages would be prepared for display to users. Services such as reference and directional information might be negatively impacted because patrons, both adults and teens, concerned about encountering over-blocking or actually experiencing it might request that library staff search for them instead of performing their own searches.

IMPLEMENTATION IMPACT ON THE LIBRARY NETWORK AND IT STAFF

The WebSense filter product was used to estimate costs and process/staffing requirements for implementation. If the City Council were to decide to filter Internet access, the standard purchase process including development of technical and functional specifications would be followed and possible cost changes might arise from selection of this or any other product.

Staff reviewed technical information for WebSense for the implementation analysis. The impact on information technology staff alone is significant. Due to size and deployment complexity of installing filtering software in all facilities, a 100-point infrastructure deployment template will be used to verify that all system infrastructure requirements are met. These requirements include, but are not limited to, integration, directory services, web servers and browsers, supporting software, network system requirements, hardware, and workstation identification information. Approximately 100 hours of staff time will be necessary to complete this template.

The proposed system would be implemented in the SJPL/SJSU Library's shared distributed, multi-segment network composed of a central data center serving up to 23 branch locations. This configuration will require the installation of two hardware servers in the King Library data center. All branch library Internet searches would continue to go to network equipment at King Library but would then be directed to the filtering servers which would provide access to the Internet based on applied filtering rules – for example, location of the computer in a children's or teens area. All King Library Internet traffic would be directed to the primary filtering server, which will then allow or disallow the appropriate connections based on applied filtering rules, such as location of the computer in the teen or children's rooms. If we need to distinguish university users from the general public, an additional step will be necessary, involving more programming and related technology and hardware.

The implementation and installation of the WebSense hardware and software configurations at the network level will require at least three fulltime Library IT staff members for approximately thirty days. Additionally, the City and Library IT staff would have to develop a migration plan for up to twelve hundred public access computers to be reconfigured to meet the filtering product requirements. It would take many weeks to complete the migration, affecting daily operations (maintaining library computers, network, and applications) as well as the ability to complete the many tasks required to prepare Joyce Ellington, Pearl Avenue, and Willow Glen branches for openings scheduled for the summer of 2008. IT staff would be needed to monitor, observe and test during and after implementation in order to maintain optimal services to our users. The options and details provided in this memorandum are estimates only, and costs and impacts may vary with actual experiences.

PUBLIC COMMENT VIA LIBRARY WEBSITE
At its November meeting, the Commission requested that an opportunity for public comment on the issue be made easily available on the library website, sjlibrary.org. Comments received as of February 4 are included as Attachment C.

CONCLUSION
The workplan specifically includes opportunities for the City's Youth Commission and the Library Commission to provide input to the City Council regarding the issue of revising the Library Internet Access policy. The Youth Commission, at its January 28 meeting, voted unanimously against supporting Internet filtering in the library as proposed by Councilmember Constant.

The Library Commission may choose to make a recommendation to the City Council. Staff has included several options that the Commission may wish to consider as policy options. Library staff is available to research and provide more information if the Commission so desires.

JANE E. LIGHT
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