



## Hoboken Public Library Privacy Policy

### Policy Statement

The Hoboken Public Library (“Library”) Privacy Policy governs the manner in which the Library collects, uses, maintains, and discloses information collected from its patrons, customers, donors, and other users (collectively referred to as the Library’s “Users”) in Library records through the Library website ([www.hobokenlibrary.org](http://www.hobokenlibrary.org)) and its mobile application(s). This Privacy Policy shall apply to Hoboken Public Library, written and electronic records, its website and all mobile application(s), materials, products, services, and resources offered by the Library.

The HPL Board of Trustees (the “Board”) believes it is the basic right of every individual to read what they wish without fear of censure or legal consequence. The Board also affirms the right of every person to privacy. The Library is committed to protecting each User’s right to privacy with respect to all personally identifiable information required for registration and for use of any Library products, services, or resources, as well as information any Users sought or received, services used, and materials or resources consulted, borrowed, or acquired. Such records will not be made available to any individual, organization, or government agency except pursuant to New Jersey law, which states: “Library records which contain the names or other personally identifying details regarding the users of libraries are confidential and shall not be disclosed except in the following circumstances: a. The records are necessary for the proper operation of the library; b. Disclosure is requested by the user; or c. Disclosure is required pursuant to a subpoena issued by a court or court order.” N.J.S.A. 18A:73-43.2.

The Board also endorses the New Jersey Library Association *Statement on Library Confidentiality and Access to Children’s Library Records*. All persons using the Library’s website, downloading the Library’s mobile application(s), visiting either Library branch, or donating to the Library will be subject to the provisions of this policy, and agree by such use that the Library may use such persons’ email and postal addresses to communicate with them about Library programs, services, fundraising efforts, and more.

### Information Collection and Use

The Hoboken Public Library may collect personally identifiable information (PII) from Users in a variety of ways including, but not limited to, when Users attain a Library card, visit the Library’s website, use the Library’s mobile application(s), register for a program or service on the Library’s website, subscribe to the HPL newsletter, respond to a survey, fill out a form, and in connection with other activities, services, features, or resources the Library makes available in our branches, on our website or mobile application(s), and in the community. Users may be asked to provide, as appropriate, name, email address, mailing address, phone number(s), and image or likeness. Users also may visit the Library’s website anonymously, but may be limited in their ability to utilize many of the services offered. The Library will collect personally identifiable information from Users only if they voluntarily submit such information to the Library. Users can always refuse or decline to supply personally identifiable information, with the understanding that such refusal may prevent the User from engaging in certain website and/or mobile application related activities.

#### A. Library Circulation System

User information is collected in order to issue Library Cards and to maintain an accurate record of items borrowed, to provide a means of notification and contact, and to record outstanding fines and fees (subject to the Library's Fine-Free Policy). Information collected may include: name, address, phone number, email address, date of birth, items currently checked out, fines owed, fines paid or waived, current holds, requests and informational notes related to Library card account matters, and interlibrary loan transactions but only for the current and most recent prior transaction. Library Cards contain the following information: barcode number, PIN, and monetary balance.

#### B. Use of the Library's Website and Mobile Applications

The Library may collect non-personally identifiable information about Users whenever they interact with the Library's website or utilize its mobile application(s). Non-personally identifiable information may include user names and passwords, Internet Protocol (IP) address, location, kind of web browser or electronic device used to access the website or application(s), and other similar information. The Library uses non-personally identifiable information to make the website and/or application(s) more useful to visitors and to learn about the number of visitors to the website or application(s) and the types of technology visitors use. Visitor information described above is anonymized and aggregated, meaning that it cannot be connected to any individual. The Library will not share or resell any non-personally identifiable information collected from its website or mobile application(s).

#### C. Internet Access Using Library-Based Computers

The Library may collect information to allow automated management of the Library's public computer resources. Information collected includes, but is not limited to: Library card number, age for individuals under the age of 18, computer time used for the day, allowed computer time, and monetary balance. Information is deleted at the end of each session relative to all individual customers, but the Library does maintain anonymous aggregate information about the total computer time used each day.

#### D. Surveillance Recordings

The Library records daily activities within the Library, including Users in the Library, in order to increase security. Security camera footage is maintained for no longer than seven (7) calendar days, unless the Library determines that some portion of recorded footage should be maintained for a longer period of time for a specific purpose, which generally is tied to an internal investigation or an investigation by law enforcement or another governmental entity. Disclosure of surveillance recordings is limited to the circumstances and requirements discussed below in this policy.

#### E. Meeting Room and Library Facility Use Applications

The Library requires an application for the use of its meeting rooms in order to verify eligibility, designate a responsible party, and to provide a point of contact. Information collected includes name, organization, phone number, email address, and library card number. Information specific to any individual is deleted following the conclusion of the approved use, but the Library does maintain a listing of organizations approved to use a meeting room, and any specific details relative to future requests by that organization to use a meeting room, as well as anonymous aggregate information about the programs and purposes for which rooms were used.

For expedience and service, by using Library spaces, materials, and services, Users are consenting to having non-personalized information gathered (e.g., number of people entering the building in a day, number of people using a database, etc.). By providing contact and other personally identifiable information, Users authorize the Library to use any provided information to deliver its services to the User.

The Library does not sell, trade, or rent Users' personally identifiable information to others. The Library may share generic aggregated demographic information not linked to any personally identifiable information regarding visitors and Users with the Library's business partners, trusted affiliates, and advertisers for the purposes outlined in this Privacy Policy.

### **Third-Party Vendors**

The Library partners with third-party vendors to provide digital content, including e-books, digital audiobooks, movies, music, online resources, and more. Some of these vendors may collect and share the personally identifiable information provided by Users in order for Users to use their services. Users may choose not to use these third-party vendors. Some third-party vendors are listed below:

- eLibraryNJ – Libby & Overdrive
- eBCCLS
- Hoopla
- PressReader
- Freegal
- Kanopy
- Medici.TV
- ShemarooMe
- Communico – Connect

Please note that the above is not an exhaustive list of past, current, or future third-party vendors.

The Library also may display links to third-party services or content on its website. By following such links, Users may be providing information (including, but not limited to, Personal Information) directly to a third party, to the Library, or to both. Users acknowledge and agree that the Library is not responsible for how those third parties collect or use their customers' information. The New Jersey statute on Confidentiality of Library Records<sup>1</sup> may not apply to these third-party vendors.

The Hoboken Public Library Privacy Policy does not apply to the third-party vendors the Library uses. Therefore, all Users should review the privacy statements for individual third-party vendors prior to utilizing any third-party vendor's services. The Library shall consider a User's use of any third-party vendors as the User's acknowledgment of and consent to the respective third-party vendor's privacy statements.

### **Content Users Voluntarily Share with the Library Community**

The Library provides access for Users through various social media outlets including, for example, the Library's Facebook page, Pinterest account, Instagram account, YouTube account, and X feed. Users who access the Library through any of its social media outlets and choose to share content by posting to such account(s) may cause such shared content to be accessible to the public. Users can use their own social media privacy settings to limit what they share

publicly. Users also may delete some content they shared, but some interactive shared content

<sup>1</sup> N.J.S.A. §18A:73-43.2.

may persist in association with the individual's registered user account, even after the account is terminated. The Library also may make opportunities available for Users to share content through the Library's website and/or mobile applications. Users posting content to the Library's website or through its mobile apps may cause their content to become accessible to the public and, even if subsequently deleted, such content still may exist in the public domain. Therefore, Users should be mindful when participating in shared content activity through our Library services that the content may become accessible to the public as a direct consequence of the User's actions, and through no direct action by the Library.

### **Bridging Communities, Connecting Library Services (BCCLS)**

Hoboken Public Library is a member of BCCLS, a library consortium that facilitates resource sharing between BCCLS member libraries and the public, providing cataloging services, interlibrary loan, audiobooks, online resources, and other supportive services. BCCLS has its own notices regarding Confidentiality and Third Party Vendors, which the Library suggests all Users review.

### **Library User's Rights**

This Privacy Policy is intended to provide Users with information about what personal data the Library collects about them and how it is used. If Users have any questions, please contact the Library at [reference@hobokenlibrary.org](mailto:reference@hobokenlibrary.org).

Users have a right to view their own patron record and record of items currently checked out or requested, although parents cannot get access to their minor child(ren)'s records unless their library cards are joined. Users have a right to correct or rectify their personal data maintained by the Library if it is not accurate. Users can update contact phone numbers and email addresses by signing into their member account online. Users may request that the Library erase that data or stop processing it, subject to some exceptions. Users may also request that the Library stop using the User's data for direct marketing purposes.

### **Links**

The Library's website may contain links to other sites. Please be aware that the Hoboken Public Library is not responsible for the privacy practices of other websites. The Library encourages Users to be knowledgeable about the privacy statements of any website that collects personally identifiable information.

### **Emails & Forms**

Personally identifiable information that Users provide via emails or forms will be used only for the purposes as are described at the point of collection (e.g., a contact form), such as to send information or provide Library services, to update patron records, or to respond to questions or comments.

Online Library card applications may be shared with one or more third-party automated identity verification services over a secure connection and may additionally be retained by the Library to measure and improve the efficacy of associated fraud prevention systems in use by the Library.

If a User provides contact information, the Library may contact the User to clarify a comment or question, or to seek feedback about the level of customer satisfaction with the Library's services.

## **Requests for Library Records**

No Library staff member or volunteer may disclose any Personal Identifying Information concerning any User to any other individual, except in accordance with the law and this policy. Personal Identifying Information includes the user's name, address, telephone number (home and cell), email address, identification numbers (e.g., driver's license number, passport number), and any other information that could be used to identify a User, including photographic, video and digital image, likeness and voice, as well as information about:

- a. Whether the User currently holds, or previously held, a Library card;
- b. Materials borrowed currently or in the past;
- c. Questions presented to Library staff;
- d. Resources consulted, including print, non-print, and electronic;
- e. The date, time, frequency, duration, and nature of use of Library computers, including Internet access, and database searches by the User or which Library staff members or volunteers conducted for the User and the sites the User visited using Library computers or other resources;
- f. The date, time, frequency, duration, and nature of the User's visits to the Library, whether physically, or remotely through the Library's website or a mobile app; g. Any other information a User provided to the Library or included in the User's borrower record or any other Library record.

Only a Library cardholder shall have access to information about his/her Library record, but all cardholders may request or agree to have their card linked to others in their household. Minor children are entitled to confidentiality. Unless the family has a linked Library card, when a parent asks for information about their child's record, the information will be given only if the child is present and consents to the request. If the child is not present, a list of materials checked out or overdue may be mailed or emailed to the child, at the request of the parent/guardian. All other information will be disclosed only to the cardholder.

## **Requests for Information from Local, County, or State Governmental Agencies**

### A. Oral Requests

If a representative of a local, county, or state agency, including police departments and other law enforcement agencies, makes an oral request to any staff member to make any library record(s) available for examination, or to furnish any confidential user information, the staff member receiving the request shall not produce any records or release any information. The receiving employee or volunteer shall:

- a. take the requestor's name, address, telephone number, and other contact information, and
- b. immediately notify the Library Director or person in charge of the Library at that moment about the request.

The Library Director or person in charge of the Library at that moment shall explain to the representative making the request that, in accordance with New Jersey law and Library policy, the Library cannot release information about any potential Library user except if authorized by that individual, or if disclosure is required pursuant to a subpoena issued by a court or a court order. Immediately thereafter, the Assistant Director or person in charge of the Library shall notify the Director and provide the Director with the information about who made the request and what was requested.

## B. Written Requests

Written requests, *except for* subpoenas issued by a court or court orders, including warrants, from local, county or state agencies, including police departments and other law enforcement agencies, seeking information or records from the Library, should be handled in the same manner as oral requests.

- a. If the written request is presented in person, the staff member should simply accept the request and state that someone will respond, and then immediately transmit the written request to the Library Director.
- b. The Library Director shall respond to the representative making the written request and explain that in accordance with New Jersey law and Library policy, the Library cannot release information about any potential Library user, except if authorized by that individual or if disclosure is required pursuant to a subpoena issued by a court or a court order.

## C. Court Orders

If a representative of a local, county, or state agency, including police departments and other law enforcement agencies, tries to present any Library staff member with a court order or court issued subpoena compelling the Library to make any library records available for examination, or to furnish any confidential user information, the staff member shall decline to accept the document and shall state that he/she is not authorized to receive any legal documents on behalf of the Library, but will get someone who can. The staff member shall immediately notify the Library Director or the person in charge of the Library at that moment (the "authorized designee"), who shall be authorized to accept the document(s)/request. The Library will release only the records, information, and/or materials specifically listed or identified in any subpoena or court order or court issued subpoena or warrant.

- a. If the court order requires immediate compliance, the Library Director or authorized designee in consultation with the Library Director, if possible, shall comply with the request or explain to the representative why the Library cannot immediately comply. The individual accepting the court order, subpoena, or warrant shall review it and if not the Library Director, shall immediately forward the request to the Library Director.
- b. For example, if the Library needs to do a search for specific documents, or to download and identify the requested portion of a security video, an immediate response may not be feasible.
- c. If the court order is a warrant authorizing the representative(s) immediately to search through any part of the Library and to confiscate records or equipment, the authorized designee receiving the warrant, in consultation with the Library Director, if possible, shall comply with the request and allow the representative(s) to conduct the search. The Library Director or authorized designee shall remain with the representative(s) at all times while the search is being conducted, shall make reasonable efforts to ensure the representative(s) search through and remove no more than what the warrant authorizes, and make a record of anything the representative(s) remove(s) from the Library pursuant to the warrant.
- d. Upon receipt from a local, county, or state agency, including police departments and other law enforcement agencies, of a court order or court issued subpoena compelling the Library to make any Library records available for examination, or to furnish any confidential user information, the Library Director shall immediately forward the court ordered request to the Library's attorney and request guidance, including the extent to which the Library is required to comply.

- e. Based on the advice of the Library's attorney, the Library shall produce all required Library records, information, and materials which the Library is compelled to produce, and in accordance with the timing set forth in the order. The Library will maintain a detailed record, and where appropriate, a copy, of all Library records, information, and materials produced in response to a valid court order or court issued subpoena or warrant.
- f. If the court order or court issued subpoena or warrant required an immediate response, then immediately after complying, the Library Director shall forward the court ordered request to the Library's attorney and request guidance on whether the Library acted properly in complying and what further actions, if any, may be required. Further actions may include but shall not be limited to the Library's attorney contacting the requesting party to discuss ways to comply with or to narrow or clarify the request, or filing a petition in an appropriate court asking for an order narrowing the scope of the subpoena or quashing the subpoena, or declaring that the warrant was improperly issued or executed and requesting that the requesting party be prohibited from, or limited in, using the confiscated records, information, and/or materials or other appropriate action as the Library's attorney may determine.

### **Requests for Information from Federal Governmental Agencies**

In addition to the New Jersey statutes, the federal USA Patriot Act of 2001 and the USA Freedom Act of 2015, which amended and extended the Patriot Act, broaden the powers of federal law enforcement agencies investigating cases involving foreign intelligence and international terrorism. Under these laws, disclosure may be required pursuant to a search warrant or court order issued by the Foreign Intelligence Surveillance Act (FISA) Court or pursuant to a National Security Letter (NSL) issued by the FBI or other federal law enforcement/investigatory agencies.

- a. If served with a FISA subpoena, search warrant, or NSL, the Library and its staff cannot disclose the receipt or the requested records.
- b. Only the Library Director or an authorized designee can accept a FISA subpoena, search warrant, or NSL. If a Library staff member is approached, they must notify the Library Director or designee and not accept the document themselves. Library staff must not disclose the receipt of the subpoena or warrant, except to the Library Director or the Library's attorney.
- c. If necessary, the Library Director, or in their absence, the authorized designee, may inform the representative of the federal agency who delivered the court order or NSL that the Library must consult with the Library's attorney before responding, but should provide no further information.
- d. If authorized, the Library Director or designee will accompany federal agents during any search, ensuring it remains within the scope of the FISA subpoena or NSL. A record of any items removed must be maintained.

### **Requests for Video Footage from Library Security Cameras**

The video recordings on Library security cameras may be considered a confidential "library record" to the extent that the primary purpose of the footage is to provide for control of the circulation or other public use of Library materials. Therefore, access to the cameras, and the authority to download and share footage from the security cameras, is strictly limited and controlled in accordance with applicable law, and this policy. Only the Library Director and authorized designee shall have access to cameras and are authorized to download videos, but only may share videos in accordance with the provisions of this policy. Any modification of the

settings for security cameras must be done by, at the direction of, or with permission from either the Library Director or the authorized designee.

#### A. Sharing Videos

- a. Any sharing or disclosure of any security video shall be determined in accordance with the provisions of this policy and applicable law, in a similar manner to all other library records.
- b. Before authorizing the sharing or disclosure of any security camera video footage, the Library Director or authorized designee will review all requested video footage to determine if it contains any personally identifying details regarding any User(s) of the Library.
- c. Some examples of the types of circumstances when disclosure may be necessary for the proper operation of the Library include, but are not limited to, if a theft or incident occurred off or on Library property and the Library initiates the request for the police or other law enforcement agency/agencies to get involved.
- d. If the police or other law enforcement agency contact the Library and request video footage for reasons the Library deems not necessary for the proper operation of the Library, the police or other law enforcement agency must present a subpoena issued by a court or court order directing such disclosure, as discussed above. If the request comes from a federal agency, such as the FBI, then the applicable procedures set out in this policy shall apply.
- e. If the police or other law enforcement agency requests security video, which does not contain any names or other personally identifying details regarding any User(s) of the Library, then the Library generally will share the requested video, subject to this policy, as applicable.
- f. Except as provided otherwise in this policy, if any Library staff receives a request for video from anyone inside or outside of the Library, before promising or doing anything else, the staff member shall notify the Library Director or the authorized designee, who shall contact the Library Director and ask for direction.
- g. The Library Director, in consultation with the Library's attorney, as appropriate, will determine whether the request satisfies one of the circumstances constituting an exception, or if the requestor should be advised that a subpoena issued by a court or court order will be required before the Library can share the requested video.
- h. Upon receipt of any request for video, the Library Director may access the Library's security cameras, download the requested videos, and save the relevant video(s) on a flash drive or other secure data storage device and maintain the stored video in a secure location, until the Library determines what action to take with regard to the saved video.
- i. Before any video is shared in any way with any third party, except if shared pursuant to this policy, the Library Director must be notified first; otherwise, the Library Director must be notified as soon as possible thereafter.
- j. All other Library staff are not permitted to share footage with a User. If a User requests footage, a written request should be prepared and submitted to the Library Director. The Library Director will decide whether to share footage with members of the public in accordance with the guidelines set out in this policy and applicable law.
- k. If a User requests disclosure of video in which the User appears, the Library only will share that video if the requesting User is the only Library user appearing in the video. Otherwise, all Library users appearing in a video must consent to its disclosure before the Library will share any video based on a user request.

#### **Confidentiality**



Nondisclosure requirements always apply to NSLs and to court-issued subpoenas and search warrants issued under the USA Freedom Act, but may also apply to other types of court orders, subpoenas, and warrants. In this case, the same confidentiality procedures apply. Any questions or problems not covered in this policy should be immediately referred to the Library Director.

### **Changes to the Privacy Policy**

The Library reserves the right to change or modify this policy at any time. If the Library revises this policy, the amended version will be posted on the Library's website. The Library encourages Users to check the Library website frequently for any changes and to stay informed about the Library's Privacy Policy. Users acknowledge and agree that it is their responsibility to review this Privacy Policy periodically and become aware of any modifications.

### **Miscellaneous Issues**

- A. The Library may use records to distribute Library-related information to registered borrowers.
- B. The Library may use information collected in aggregate for statistical analysis and planning purposes.
- C. The Library Director is the designated custodian of records.
- D. Any other disclosure of library records is prohibited unless required by law.

### **Contact Us**

If a User has any questions or concerns about this Privacy Policy or the Library's privacy practices, please contact the Library at:

Hoboken Public Library  
500 Park Avenue  
Hoboken, NJ 07030  
(201) 420-2346  
[reference@hobokenlibrary.org](mailto:reference@hobokenlibrary.org)

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