

## Third-Party Tracking in Online Public Library Environments in the United States and Canada: A Statistical Analysis

Gardner, G. J. (2021). Aiding and abetting: Third-party tracking and (in)secure connections in public libraries. *The Serials Librarian*, 81(1), 69–87.

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Article abstract

**Objective** – To determine through statistical data collection the frequency of tracking by third parties in online public library environments along with the visibility and ease of discovery of online library policies and disclosures related to third-party tracking in particular and data privacy in general.

**Design** – Online evaluation of public library websites.

**Setting** – English-language public libraries in the United States and Canada.

**Subjects** – 178 public library websites (133 in the United States and 45 in Canada). The libraries included in the study were intentionally selected for their membership in either the Canadian Urban Libraries Council (CULC) or the Urban Libraries Council (ULC) in the United States, since these libraries have some of the largest systems membership serving predominantly urban and suburban communities in both countries. The included Canadian libraries serve nearly 41% of the population in that country while the included libraries in the United States are positioned to serve 28% percent of the total population. The author notes that “These percentage figures serve as hypothetical, upper-bound estimates of the population affected by third-party tracking since not every member of these communities actually uses their local public library” (Gardner, 2021, p.72).

**Methods** – In addition to evaluating the public library catalog and website in general with regards to third-party tracking and data privacy, 10 common content sources (databases) available at all of the included libraries were also included in the examination. Two browser add-ons designed to detect third-party tracking, Ghostery and Disconnect, were used in the study due to their popularity and incorporation into previous similar studies. In addition to third-party tracking the author executed word searches on library homepages using Ctrl-F for words commonly used to denote privacy or terms of use statements. No qualitative analysis was performed to determine if information shared regarding third-party tracking was accurate, and subpages were not examined. The data collection period lasted a total of three months beginning in March 2017 and running through May 2017.

**Main Results** – The data gathered between March and May of 2017 clearly indicates a general disregard among most sampled public libraries regarding the protection of patron data gathered by third-party tracking. Of Canadian libraries included in the sample 89% (40) enabled third-party tracking, while libraries in the United States allowed it at a rate of 87% (116). Both Ghostery and Disconnect revealed an almost identical number of incidences of third-party tracking in library catalogs and in the 10 popular public library databases examined in the study. Certain OPACS were associated with higher tracking counts as were certain library databases. Libraries were found to be lax when it came to providing a link on the homepage potentially informing users of the presence of third-party tracking. Of the 156 total libraries with third-party tracking in their online catalogs, 69 (44%) included a homepage link while the rest did not. The author notes that the presence of a link was all that was examined, and not specific language used to disclose the level of third-party tracking or data privacy. In total, 8 of the 10 common content sources allowed third-party tracking. All 10 provided a link to either privacy or terms of service statements on their landing pages.

**Conclusion** – Although patron privacy is an issue addressed in the American Library Association (ALA) Code of Ethics (American Library Association, 2021), the author concludes that “Together with previous research on usage of privacy-enhancing tools in public libraries, these results suggest that public libraries are accessories to third-party tracking on a large scale” (Gardner, 2021, p.69).

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*Evidence Summary*

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**A Review of:**

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### Commentary

The introduction to the article references the 2019 report issued by a Civil Grand Jury in Santa Cruz County, California castigating the Santa Cruz Public Libraries for neglecting to make users aware of how personal data was being tracked by third-party software, along with reprimanding them for not adhering to ALA best practices. They were also reprimanded for entering into agreements with third parties that “raised liability issues related to patron privacy – among other things” (Gardner, 2021, p.69).

The author asserts that although public librarians often see themselves as the protectors of patron privacy, complex challenges have presented themselves in an information age where online environments become increasingly the place where information is disseminated. Despite this cataclysmic change, the author notes that there are certain measures that can be easily undertaken, for example, adopting HTTPS to take advantage of built-in security instead of continuing to deliver websites and catalogs to patrons over HTTP. The study revealed that 46.7% of Canadian libraries in the sample and 66.9% of libraries in the United States did not have HTTPS configured to run on either their homepage or their OPAC.

The author rightly asserts that “An underappreciated aspect of recent development over the past decade or so is the rise of e-scores. Indeed, they’ve been dubbed ‘the new face of predictive analytics’ by the American Marketing Association” (Gardner, 2021, p.81). This is truly a concern when we

consider how patron-harvested data can be used to determine not just consumer habits and personalized advertising content. Harvested patron data can also be used for more sinister and nefarious purposes when it is fed into algorithms used to reinforce and bolster systematic and structural forms of racism and oppression.

The author concedes that the data from 2017 may not accurately represent the current state of affairs. They mention that the study was completed prior to the widespread adoption of the European Union's General Data Protection Regulation, which is making it more commonplace for users on commercial websites (and library database websites, in this reviewer's experiences) to be presented with third-party tracking details with Web cookie or other tracking notification. The author also notes that when the data was gathered in 2017 the Let's Encrypt certificate authority had been released the previous year, and it is being increasingly adopted by organizations of all kinds. This certificate provides free TSL/SSL certificates that greatly increase measures to protect personal data. This along with unprecedented high-profile incidences of the compromise of personal data "have increased public and governmental awareness of website security and privacy issues" (Gardner, 2021, p.83).

The quality of the study was appraised using "The CAT: a generic critical appraisal tool," created by Perryman and Rathbun-Grubb (2014). Based on this analysis the quality of the study was found to be high. According to their ORCID page the author is the Interim Associate Dean of the University Library at California State University, Long Beach and has published extensively around information-seeking behavior and use as it is mediated through library systems. A useful literature review is included, and the research question is clearly defined. The methods used in the research are clearly communicated. There are also discussions about the limitations of the study and the direction that further research might profitably take.

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