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May 28, 2013

Ms. Linda E. Johnson
President & Chief Executive Officer
Brooklyn Public Library
10 Grand Army Plaza
Brooklyn, New York 11238

**Re: Letter Report on the Audit of the
Brooklyn Public Library's Controls over Internet Access
(Audit Number 7A13-073AL)**

Dear Ms. Johnson:

We are sending this Letter Report to provide the results of the audit regarding the Brooklyn Public Library's (BPL) controls over internet access. The objectives of this audit were to determine whether the BPL's controls are sufficient to prevent unauthorized access to inappropriate sites as required by the Children's Internet Protection Act (CIPA).[1]

It is our opinion that the BPL's policies are sufficient to prevent unauthorized access to inappropriate sites as required by CIPA. The Trustwave Web Filter software package used by BPL has the ability to detect inappropriate websites and prevent unauthorized access. We noted that the Trustwave Web Filter package is updated nightly to reflect new websites that should be controlled. In addition, we found that the individual libraries we tested complied with BPL policy. However, our test of eight websites that should be blocked based on BPL's policies found that several were initially accessible despite the use of Trustwave. When these websites were identified, however, the library staff immediately contacted the service desk and the exposure was eliminated.

Recommendations

The BPL should:

1. Continue monitoring the access controls over the internet and deny access to websites as prescribed by CIPA, and

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[1] The Children's Internet Protection Act (CIPA) was enacted by Congress in 2000 to address concerns about children's access to obscene or harmful content over the internet. Schools and libraries subject to CIPA are required to adopt and implement an internet safety policy addressing: (a) access by minors to inappropriate matter on the internet; (b) the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; (c) unauthorized access, including so-called "hacking," and other unlawful activities by minors online; (d) unauthorized disclosure, use, and dissemination of personal information regarding minors; and (e) measures restricting minors' access to materials harmful to them.

2. Continue to eliminate all questionable websites (that do not comply with regulations) found by the public or librarians by contacting the service desk.

Background

BPL serves the borough's 2.5 million residents, offering thousands of public programs, millions of books, and the use of more than 1,100 free internet-accessible computers.

BPL has equipped the Central Library at Grand Army Plaza, the Business Library, and each neighborhood library with internet-enabled computers. These computers provide customers with access to a vast array of electronic resources that supplement the library's print collection and are also available for educational, informational, and recreational purposes. CIPA requires that schools and libraries in the United States use and implement measures to protect children from harmful online content as a condition for the receipt of federal funding under the Universal Service Discount Program and the Library Services and Technology Act. CIPA was signed into law on December 21, 2000, and was found constitutional on June 23, 2003.

The use of internet filters or content-control software varies widely in public libraries in the United States because the local library board establishes internet use policies. Many libraries adopted internet filters after Congress conditioned the receipt of universal service discounts on the use of internet filters through CIPA. Other libraries do not install content control software, believing that acceptable use policies and educational efforts address the issue of children accessing age-inappropriate content while preserving adult users' right to freely access information. Some libraries use internet filters on computers used by children only. Some libraries that employ content-control software allow the software to be deactivated on a case-by-case basis on application to a librarian; libraries that are subject to CIPA are required to have a policy that allows adults to request that the filter be disabled without having to explain the reason for their request.

BPL leases the web filtering software Trustwave, which filters child pornography. Additional filtered content for users under the age of 17 are Obscene/ Tasteless and Pornography/ Adult Content. The categories of filtered content are described below:

- **Child Pornography** - Sites that promote, discuss, or portray children in sexual acts and activity or the abuse of children.

- **Obscene/ Tasteless** - Sites that contain explicit graphic or text depictions of such things as mutilation, murder, bodily functions, horror, death, rude behavior, executions, violence, and obscenities.

- **Pornography/ Adult content** – Sites that portray sexual acts and activity; sites with explicit nudity (including see–through clothing), sites with links that lead to pornographic and adult content, pornography videos and items for sale with explicit descriptions, and any adult verification systems that require credit card payment or membership ID.

Audit Scope and Methodology

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings

and conclusions based on our audit objectives. This audit was conducted in accordance with the audit responsibilities of the City Comptroller as set forth in Chapter 5, §93, of the New York City Charter.

The fieldwork for this audit was conducted from November 26, 2012, through December 31, 2012.

Our audit reviewed BPL's policies regarding content and blocking control as well as a list of restricted sites and content (i.e. words, phrases, profiles, images, URLs).

- To gain an understanding of the BPL's internet filtering software, we reviewed BPL written policies and procedures. In addition, we requested the categories of filtered websites at BPL as well as the internet software used for all libraries.

- To determine the number of libraries for survey selection, we obtained the lists of libraries from BPL's website. To conduct our testing, we randomly selected 10 of the 60 Brooklyn libraries (see Appendix). Based on BPL's policies, we judgmentally selected and tested eight websites (not identified in this report due to their content) that we expected to be blocked based on BPL's policies. We tested access to these sites at both the adult and children's terminals.

- To determine whether the unfiltered internet browser history was monitored and erased, we visited each of the 10 randomly selected libraries and checked the website browser history at the beginning and at the conclusion of each individual computer session.

- To determine whether BPL is effectively monitoring the internet controls over unauthorized access to inappropriate sites, we requested exception reports that identify illegal access and who is responsible.

On April 19, 2013, an exit conference was held and the preliminary letter report dated April 4, 2013, was discussed. On May 1, 2013, we submitted a draft letter report to BPL officials with a request for comments. We received a written response from BPL on May 16, 2013. In its response, BPL agreed with our recommendations.

The full text of BPL's response is included as an addendum to this final report.

Sincerely yours,

Tina Kim

c: Richard Reyes-Gavilan, Chief Librarian, Brooklyn Public Library
     Elizabeth Weinstein, Director, Mayor's Office of Operations
     George Davis III, Mayor's Office of Operations
     Vincent Liquori, Director of Financial Audit

BROOKLYN PUBLIC LIBRARIES TESTED

Library	Location
Brooklyn Heights Library	Brooklyn, NY
Brower Park Library	Brooklyn, NY
Central Library	Brooklyn, NY
Clarendon Library	Brooklyn, NY
Clinton Hill Library	Brooklyn, NY
Crown Heights Library	Brooklyn, NY
Flatlands Library	Brooklyn, NY
Kensington Library	Brooklyn, NY
Macon Library	Brooklyn, NY
Park Slope Library	Brooklyn, NY

Tina Kim
Deputy Comptroller
NYC Comptroller's Office
1 Centre Street, New York, NY 10007

May 16, 2013

Dear Ms. Kim,

This letter confirms Brooklyn Public Library's agreement with the results of the Comptroller's audit of the Library's controls over internet access.

We will continue to monitor internet use to remain in compliance with CIPA and to provide a welcoming environment for all of our users.

Sincerely,

Richard Reyes-Gavilan
Director and Chief Librarian
Brooklyn Public Library

Cc: Linda E. Johnson, President and CEO, Brooklyn Public Library