



Carnegie Library of Pittsburgh

Procedures for Dealing with Patrons Viewing Suspected Illegal Material

Summary of procedures:

Child pornography is illegal. If you see someone viewing or possessing child pornography or it is reported to you by a customer:

- Make every attempt to identify by name the patron who is breaking the law
- Call the police and/or alert your supervisor to do so
- Take steps to secure the computer on which they are accessing the illegal material
- Alert the Assistant Director in charge of your location

Detailed procedures:

1. If a patron or staff member reports seeing what they report to be child pornography, the following are the steps you should take to address the situation.

Title 18 of the United States Code governs child pornography and states:

“Any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where –

- (A) *the production of such visual depiction involves the use of a minor **engaging in sexually explicit conduct;***
- (B) *such visual depiction is, or appears to be, of a minor **engaging in sexually explicit conduct;***
- (C) *such visual depiction has been created, adapted, or modified to appear that an identifiable minor is **engaging in sexually explicit conduct;** or*
- (D) *such visual depiction is advertised, promoted, presented, described, or distributed in such a manner that conveys the impression that the material is or contains a visual depiction of a minor **engaging in sexually explicit conduct.**”*

Allegheny County Ordinance 1899-05 states:

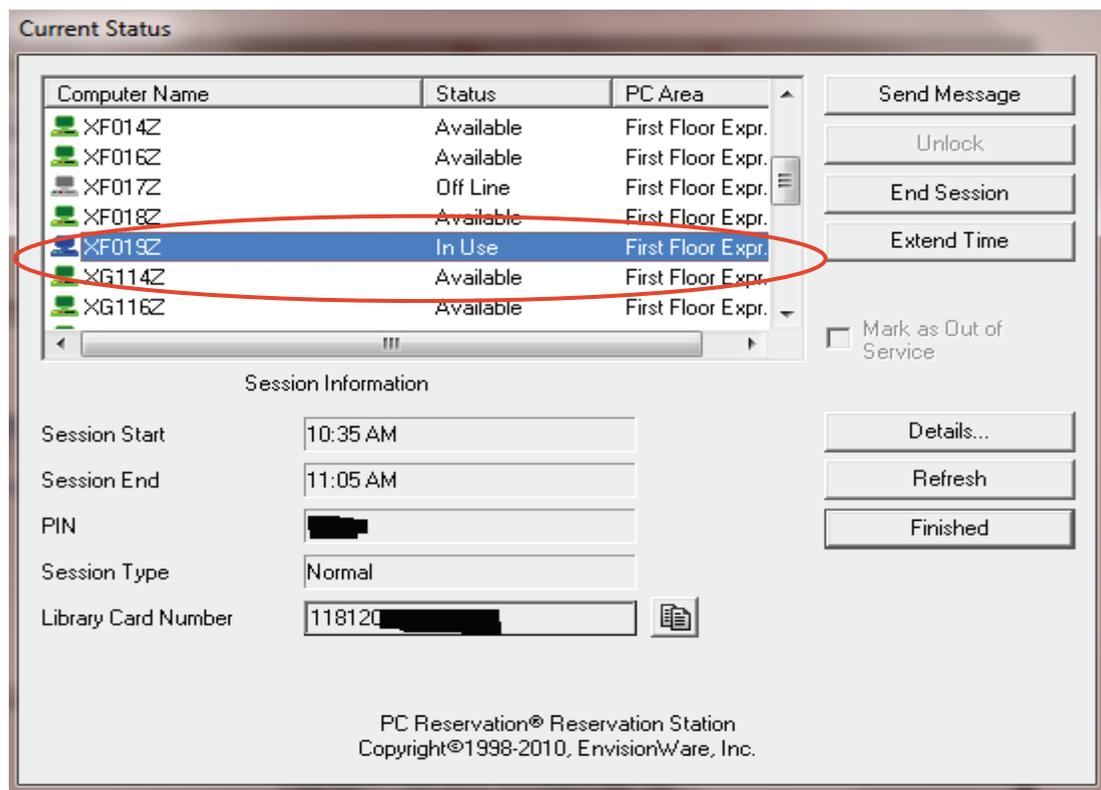
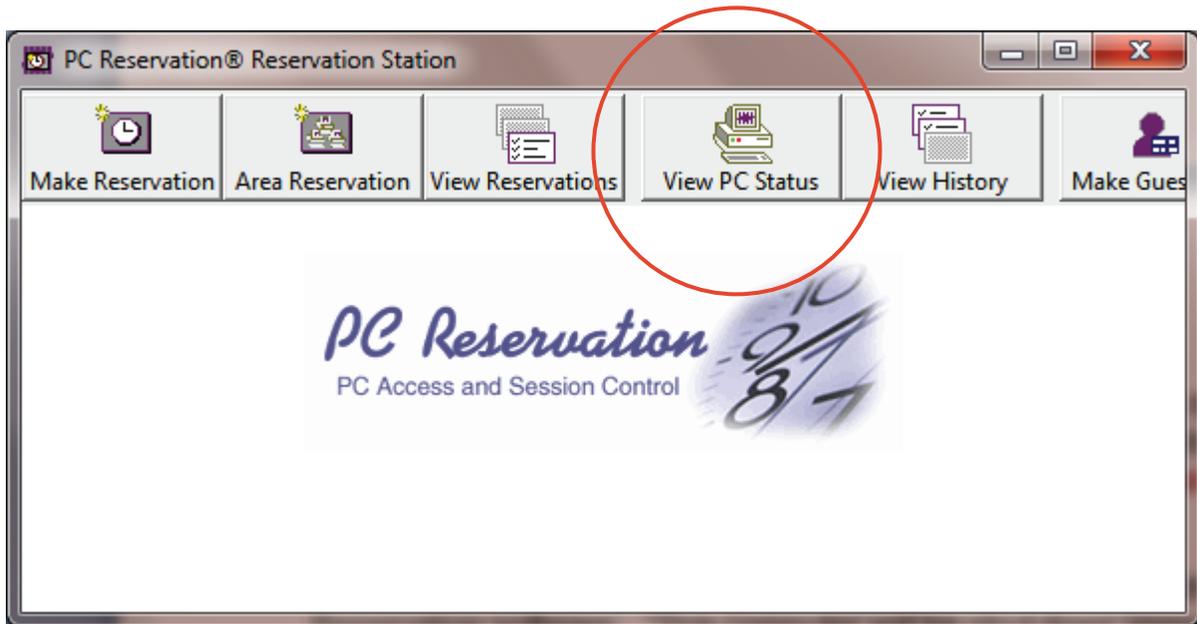
“Child pornography includes not only images of real children, but also computer images that are indistinguishable from real children engaging in sexually explicit conduct. This means that an ordinary person viewing the image would conclude that it is of an actual minor engaged in sexually explicit conduct. The following images are not child pornography: drawings, cartoons, sculptures or paintings depicting minors or adults. Images of actual adults that look like minors are also excluded. Remember that there is no bona fide research or lawful purpose to view child pornography.”

2. If you think the material *could be child pornography by the above definition*, alert Security, the branch manager or person in charge and ask them to call 911. **The police will ultimately determine whether or not the material is child pornography – you do not have to make that determination.**

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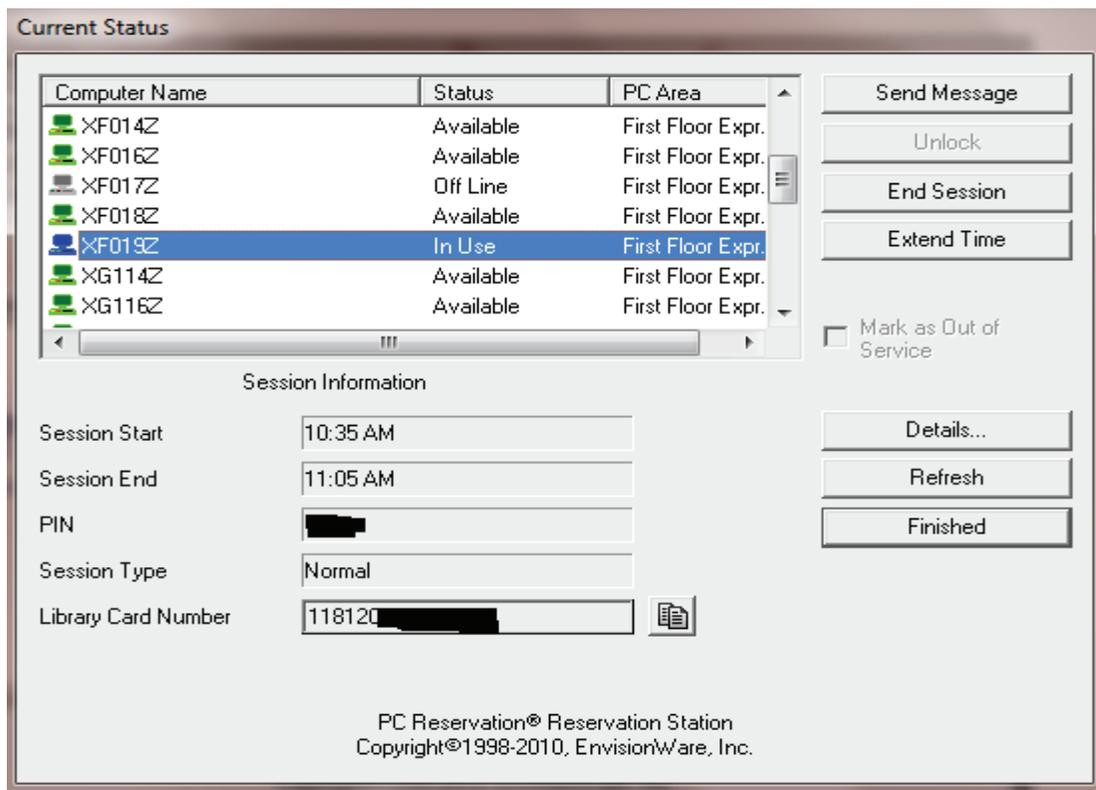
(Procedures for Dealing with Patrons Viewing Suspected Illegal Material continued)

3. Note the PC the patron is using, open “View PC Status” in the PC Reservation Station and “print screen” to capture the library card number that was used to log in to that PC. Copy and paste the image to Word, print it and give it to Security or a supervisor. It will be held when and until the authorities respond with a court order requesting the information.



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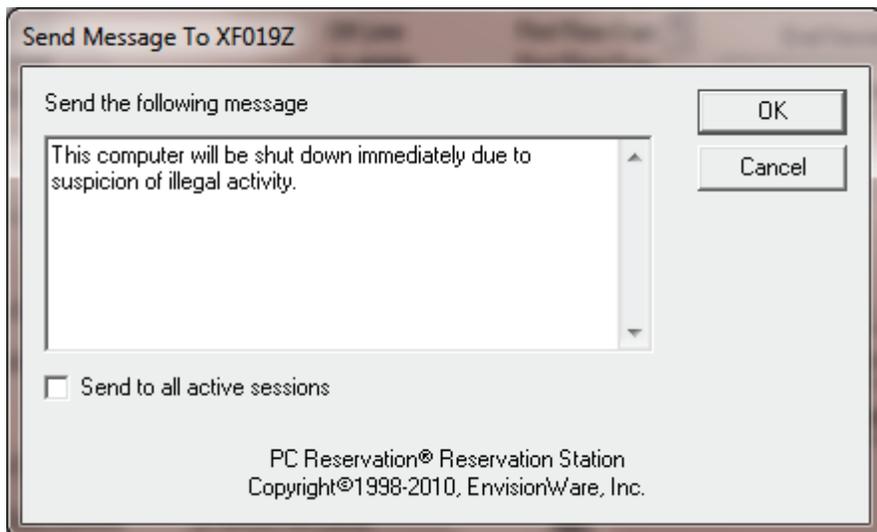
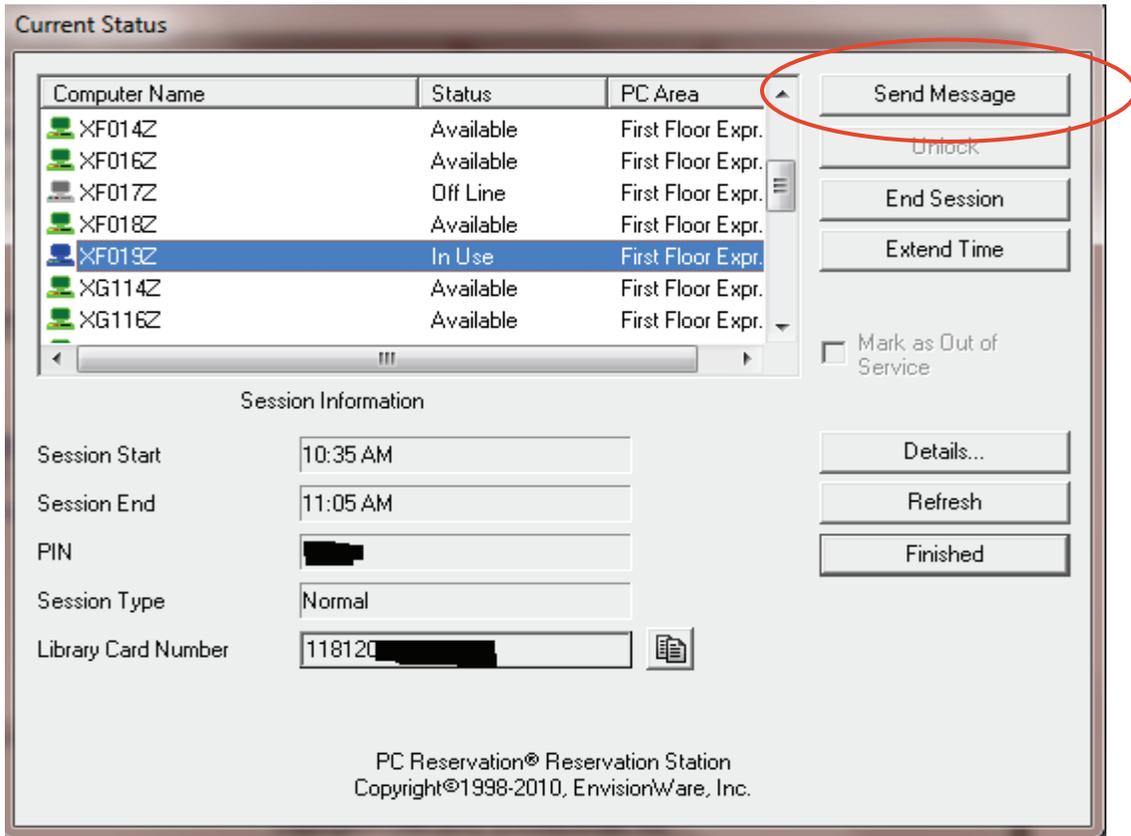
(Procedures for Dealing with Patrons Viewing Suspected Illegal Material continued)



4. Send the following message to the patron’s computer via the Envisionware PC Reservation software: “This computer will be shut down immediately due to suspicion of illegal activity.”
(This is the only time a message should be sent to a patron via the “Send Message” function.)

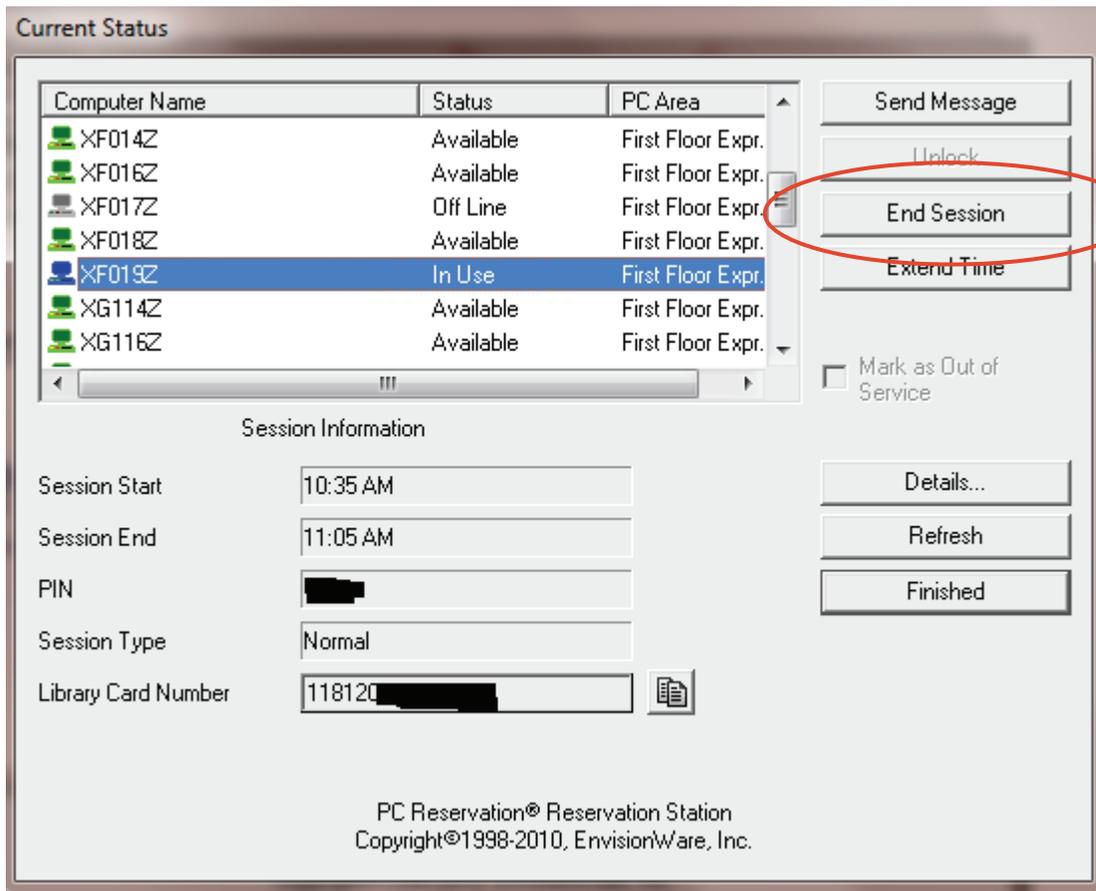
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The computer should then be logged off remotely through Envisionware.

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You have no responsibility to detain the patron, but try to remember as much as you can about them to share with the police if they respond to our call.

5. If there is a patron witness, the supervisor on duty should ask him/her to stay and speak to the police, or take their contact information if they are willing to share it. We cannot require them to stay.
6. Update the appropriate administrator on the situation (see contact information below)
7. Unplug the computer and place an “Out of Service” sign on it. Depending on police response, you may be asked to remove the computer from the public service area and secure it in the workroom or manager’s office.
8. Submit required paperwork – Online form for an incident report in observance of County Ordinance 1899-05.

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9. If the police respond to the call and subsequently determine that the patron did view/download child pornography, the patron should be excluded for three years. Use the words viewing (or downloading) suspected illegal material on the exclusion report as the reason for the exclusion.
10. If the police request the computer they must first produce a court order which should be immediately shared with the Assistant Director in charge of the location.

Contacts:

Main Library – Call Sheila Jackson – 412.622.3110;
Home: 412.999.1776; Cell: 412.983.9403

Branch Libraries – Call Mary Monaghan – 412.622.1925;
Home: 412.241.1351; Cell: 412.478.0390

***In any other case, or if the Assistant Directors cannot be reached,
contact Deputy Director Sue Banks – 412.622.1911;***
Home: 412.709.6731; Cell: 859.640.7499

Adopted: 4-30-13