

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

[REDACTED];
**AMERICAN CIVIL LIBERTIES UNION;
 AMERICAN CIVIL LIBERTIES UNION
 FOUNDATION,**

Plaintiffs,

v.

ALBERTO GONZALES, in his official
 capacity as Attorney General of the United
 States;
ROBERT MUELLER, in his official capacity
 as Director of the Federal Bureau of
 Investigation;
 [REDACTED] in his official capacity
 as [REDACTED] Federal Bureau of
 Investigation,

Defendants.

DECLARATION OF [REDACTED]

Civ. Action No. 3:05cv1256 JCH

SEALED CASE

During the course of the litigation, the government tried to redact information that had already been unsealed and available to the public. The highlighted text below shows public information the government unsuccessfully tried to re-redact.

DECLARATION OF [REDACTED]

I, [REDACTED] of [REDACTED], do declare:

1. I currently serve as the [REDACTED] of [REDACTED] [REDACTED] one of the plaintiffs in this case. I have been the [REDACTED] [REDACTED] for two years. Prior to becoming the [REDACTED], I was employed by the predecessor of [REDACTED] [REDACTED] as the manager of their library automation system. I served in that capacity for one year.
2. I have a Bachelor of Arts degree in psychology from [REDACTED] I also have a Master of Arts degree in Business Administration and a Master of Arts

degree in Urban and Suburban Administration from the [REDACTED]

[REDACTED] I have a professional background in computer technology and

software development. Prior to working at [REDACTED] I was

employed by [REDACTED] and [REDACTED]

to manage software development projects. I also am an adjunct professor at

the [REDACTED] although I have

not taught for the past year..

3. [REDACTED]

[REDACTED]

[REDACTED] serve over [REDACTED] library-

cardholders, as well as many other library users that do not have library cards.

[REDACTED] provides a number of services to [REDACTED] It

administers an [REDACTED]

[REDACTED] for the cataloging and circulation of library materials,

and to track community borrowing and library usage. Library patrons [REDACTED]

[REDACTED] search library collections, to reserve library materials,

and to check the status of their accounts. [REDACTED]

[REDACTED]. To the best of my

knowledge, several thousand other libraries also use the [REDACTED]

[REDACTED] also provides telecommunications links to its [REDACTED]

[REDACTED] and Internet access for use by staff and patrons at [REDACTED]

[REDACTED]

5. [REDACTED] also provides staff expertise, training, consultation, troubleshooting and customization services to its [REDACTED]
6. [REDACTED] is governed by a fifteen-person Board of Directors composed of twelve representatives of [REDACTED] and three representatives of the communities served by the [REDACTED]. The Board of Directors is responsible for the legal and financial obligations of the organization. The Board of Directors has an Executive Committee comprised of the President, Vice-President, Secretary, and Treasurer of the Board. The [REDACTED] serves as staff liaison to the Executive Committee. The Executive Committee is empowered to act on behalf of the entire Board when necessary.
7. [REDACTED] possess a wide array of sensitive information about library patrons, including information about the reading materials borrowed by library patrons and about the Internet usage of library patrons.
8. [REDACTED] contains the borrowing history of all patrons at all its [REDACTED] since converting to the [REDACTED] in 2001. [REDACTED] and its [REDACTED] have always felt that this information is extremely private and confidential. The system has been configured so that [REDACTED] staffs only have access to information about items that are currently on loan. Once materials have been returned to a library (and any associated overdue fines paid), only [REDACTED] staff can retrieve historical information on patron borrowing. Such retrievals

are only used to resolve disputes between patrons and libraries on whether materials have been returned and/or fines paid, or to resolve apparent malfunctions in the system software.

9. The libraries using [REDACTED] the software that runs [REDACTED] [REDACTED] have organized themselves into a User Group. The software is extremely complex, and, by sharing experiences, libraries can often achieve more from the software than they could on their own. Over time, the focus of the User Group has broadened to include the sharing of information and experiences on almost all topics of library administration. Within the user group community, there are Special Interest Groups (SIGs) that focus on the concerns of different portions of the User Group community (such as public libraries, law libraries, system administrators, circulation specialists, etc.). I served as the [REDACTED] of the [REDACTED] from [REDACTED] to [REDACTED]. I am currently still an active member of the [REDACTED]. There are about fifty library consortia, from around the country, in the [REDACTED]. The [REDACTED] was established so that library consortia using [REDACTED] have a forum to exchange information about the software, about the vendor [REDACTED] and to discuss the general operations of consortia and the challenges they face. The [REDACTED] meets both with and without [REDACTED] representatives present.

10. I have also been instrumental in getting the Executive Directors of the four [REDACTED] to meet on a quarterly basis to exchange