

Carroll Public Library Confidentiality of Library Records Policy

The Board of Trustees of the Carroll Public Library recognizes the responsibility to protect the privacy of library users. Confidentiality is essential to protect the exercise of First Amendment rights.

Library records are treated specifically in Code of Iowa 22.7 "Examination of Public Records (Open Records)", paragraph 13 and 14. The citation is copied here and included in this policy:

7. Confidential records.

The following public records shall be kept confidential, unless otherwise ordered by a court, by the lawful custodian of the records, or by another person duly authorized to release such information:

- 13. The records of a library which, by themselves or when examined with other public records, would reveal the identity of the library patron checking out or requesting an item or information from the library. The records shall be released to a criminal or juvenile justice agency only pursuant to an investigation of a particular person or organization suspected of committing a known crime. The records shall be released only upon a judicial determination that a rational connection exists between the requested release of information and a legitimate end and that the need for the information is cogent and compelling.**
- 14. The material of a library, museum or archive which has been contributed by a private person to the extent of any limitation that is a condition of the contribution.**

Confidentiality extends to information sought or received and materials consulted, borrowed or acquired. Confidentiality includes database search records, reference interviews, interlibrary loan records, computer use records, and all other personally identifiable uses of library materials, facilities or services.

In addition to the protections afforded by the Code of Iowa and the Constitution of the United States of America, Carroll Public Library will hold confidential the names of card holders and their registration information and not provide access for private, public or commercial use.

In keeping with the above statements and the Code of Iowa, the following shall be the policy for Carroll Public Library records:

- 1. The lawful custodian of the records is the Director of the Library.**
- 2. Carroll Public Library registration records and circulation records shall be kept confidential.**
- 3. Circulation records shall be retained for items currently checked out; all records of past transactions are not available on the automated circulation system.**
- 4. Patrons using the Internet-connected computers will be registered by first name. Histories of Internet sites searched on each computer will be kept for 0 days. Records of computer use shall be retained for 0 days.**
- 5. If there is a reasonable basis to believe library registration records are necessary to the progress of an investigation or prosecution, the request for such records including the justification for the request, shall be made to the Director, in writing on official letterhead by an official of the investigation or prosecution workforce, who has provided necessary identification.**
- 6. If there is a reasonable basis to believe library circulation records are necessary to the progress of an investigation or prosecution, the judicial system provides the mechanism for seeking release of such confidential records: the issuance of a warrant, following a showing of good cause based on specific facts, by a court of competent jurisdiction.**
- 7. Circulation records shall not be made available to any agency of local, state, or federal government except pursuant to a warrant authorized under the authority of, and pursuant to, local, state, or federal law relating to civil, criminal, or administrative discovery procedures or legislative investigative power.**
- 8. The issuance or enforcement of any unwritten or unofficial process, order, or subpoena shall be resisted until such time as a proper showing of good cause has been made in a court of competent jurisdiction.**

Adopted by Carroll Public Library Board of Trustees April 14, 2003

Reviewed and approved February 26, 2007