

CONFIDENTIALITY OF LIBRARY RECORDS POLICY

It is the policy of Flossmoor Public Library in accordance with the Illinois Library Records Confidentiality Act (75 ILCS 70/1, et seq.) that all registration and circulation records of library patrons as well as other records identifying the names of library users are confidential. This policy is adopted to protect the right to privacy of each patron and user. A copy of the Act is attached hereto as Exhibit A.

The Library will only make the foregoing library records available to an agency of federal, state or local government if:

- 1) a subpoena, warrant, court order or other investigatory document is issued by a court of competent jurisdiction that shows good cause and is in proper form; or
- 2)
 - (a) if a sworn law enforcement officer states there is probable cause to believe there is imminent danger that someone will be physically harmed and that it is impractical to secure a court order as a result of an emergency;
 - (b) the sworn officer making such a claim completes and signs a form (attached hereto as Exhibit B) acknowledging declaration of said emergency and acknowledging receipt of the information requested from the Library; and
 - (c) the information released under signature of a sworn law enforcement officer will be limited to identifying a suspect, witness, or victim of a crime and will not include disclosure of registration or circulation records that indicate materials borrowed, resources reviewed or services used at the Library.

In the event that a request or demand for registration, circulation or other records is made to the Library, forward the request or demand to the Library Director or Person in Charge.

The Library Director or Person in Charge will consult with the Library's legal counsel to ensure compliance with the Library Records Confidentiality Act and determine the proper response.

It must be further noted that Section 21.5 of the U.S.A. PATRIOT ACT provides federal law enforcement officers with the ability to obtain a search warrant to gain access to certain library records on the basis that the officer believes that the records sought may be related to an ongoing investigation related to terrorism or intelligence activities.

The U.S.A. PATRIOT ACT prohibits libraries or librarians served with a search warrant under FISA (Foreign Intelligence Source Act) rules from disclosing the existence of the warrant or the fact that records were produced as a result of the warrant, under penalty of law. In other words, a patron cannot be informed that his/her records were given to a federal agent or that the patron is the subject of any federal investigation.

Flossmoor Public Library only retains records that are essential to conducting its business and those records are only retained as long as necessary to complete that business. Flossmoor Public Library does not maintain historical records of completed transactions.

Flossmoor Public Library may give current information regarding materials borrowed or overdue to the borrower when requested by said individual in person or via phone with the patron's barcode number.

Revised by the Board of Trustees: December 9, 2014
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