



Confidentiality of Library Records Policy

Requests for Information or:

No member of the staff other than the director or his/her designee is authorized to respond to any form of judicial process, or to provide any patron-specific or library-business information, in writing or in oral form, to a law enforcement officer or other soliciting person or agent.

The Lindenhurst Memorial Library maintains certain administrative information regarding library computer use, e.g., user logs. The Suffolk Cooperative Library System maintains certain administrative information regarding the use of Suffolk Cooperative Library System computer services. This information may include: firewall transaction records, web page usage records, and mail records. This information is maintained for administrative purposes only. **No individual data or transactions may be divulged to third parties except by court order.** (See below).

New York Civil Practice Law & Rules Section 4509, Library records.

Library records, which contain names or other personally identifying details regarding the users of public, free association, school, college and university libraries and library systems of this state, including but not limited to records related to the circulation of library materials, computer database searches, interlibrary loan transactions, reference queries, requests for photocopies of library materials, title reserve requests, or the use of audio-visual materials, films or records, shall be confidential and shall not be disclosed except that such records may be disclosed to the extent necessary for the proper operation of such library and shall be disclosed upon request or consent of the user or pursuant to subpoena, court order or where otherwise required by statute.

In the event a Lindenhurst Memorial Library staff member is requested to provide information to any outside agency or individual the following procedures must be followed:

1. The staff member receiving the request to examine or obtain information relating to circulation, computer activity or other records identifying the names of Library users, will immediately refer the person making the request to the Director, or his/her designee in the Director's absence, who shall explain the institution's confidentiality policy.

2. The Director, or director's designee in the absence of the Director, upon receipt of a process, order, or subpoena, shall consult with legal counsel to determine if such process, order, or subpoena is in good form and if there is a showing of good cause for its issuance.
3. If the process, order, or subpoena is not in proper form or if good cause has not been shown, insistence shall be made that such defects be corrected before any records are released. (The legal process requiring the production of circulation or other library records shall ordinarily be in the form of a judicially issued subpoena *duces tecum* requiring the responsible officer to attend or supply a court with records...).
4. Any threats or unauthorized demands (i.e., those not supported by a process, order, or subpoena) concerning circulation, computer or other records identifying the names of Library users shall be reported to the Director immediately.
5. If the document is a search warrant that authorizes an immediate search and seizure, the Library Director and legal counsel will be contacted immediately for counsel. If a police officer or detective declines to wait, carefully inspect the warrant and monitor the search. Be certain to retain a copy of the warrant and request an inventory of the materials in question. At the conclusion of the search immediately make a written record of all events that transpired, to be given to the Director.
6. In all circumstance be polite and friendly. It is important that the matter not be treated as adversarial since it is the policy of Lindenhurst Memorial Library to cooperate with duly authorized law enforcement officials.
7. Any issues relating to the privacy of circulation, computer or other records identifying the names of Library users which are not provided for above shall be referred to the Director.
8. Staff will be made aware of this policy through a staff handbook, policy manual, and annual staff development days as well as orientation for all new staff.

Approved & Adopted: November 20, 2003

Revised: October 17, 2020