

3.26 CONFIDENTIALITY POLICY

It is the policy of the Niles-Maine District 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 are confidential.

Such registration and circulation records may, however, be released pursuant to a court order, which includes a search warrant, served upon the library by a sworn law enforcement officer. Additionally, if a law enforcement officer has probable cause to believe that there is imminent danger of physical harm to a person and an emergency situation exists making impractical the obtaining of a court order, the Library is compelled to provide information from its records limited to identifying a suspect, witness or victim of a crime. However, the information so provided cannot include disclosure of registration or circulation records that would indicate materials borrowed, resources reviewed or services used at the Library. In this situation, the law enforcement officer must complete the attached form entitled, "Officer's Request for Confidential Library Information," acknowledging declaration of the emergency and acknowledging receipt of the information from the Library. In addition, the Library will make a photocopy of the identification provided by the law enforcement officer.

If a request or demand for registration or circulation records is made to the Library, the person making the request will be referred to the Library Director or his/her designee.

Additionally, library patrons should be aware 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(s) believe that the records sought may be related to an ongoing investigation related to terrorism or intelligence activities.

The PATRIOT ACT also prohibits libraries or librarians served with a search warrant issued under FISA (Foreign Intelligence Surveillance 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. 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.

The Niles-Maine District Library protects the privacy of its patrons. Only records that are essential to conducting the library's business are retained and only as long as necessary to complete our business.

Adopted by the Niles Public Library District Board of Trustees 2.22.12