

CARROLL PUBLIC LIBRARY

CONFIDENTIALITY AND 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:

461829976. The lawful custodian of the records is the Director of the Library.
461829977. Carroll Public Library registration records and circulation records shall be kept confidential.
461829978. Circulation records shall be retained for items currently checked out; all records of past transactions are not available on the automated circulation system.
461829979. Patrons using the Internet-connected computers will register using their library card number. Histories of Internet sites searched are removed when each patron logs out. Records of

computer use are only by count of how many patrons logged in, not connected to name or bar code.

461829980. 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.

461829981. 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.

461829982. 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.

461829983. 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.

461829984. Hard drives on electronic devices that could contain library records or a patron's personal information will be erased or destroyed before being disposed of.

EXCEPTIONS:

- A. Contact information for displays and meetings is provided by the user and considered public information.
- B. Persons attending library programs or public meetings may be videotaped or photographed as an audience member. These images may be used for library programming or promotion, including broadcast on Public Access Channel, Library website, the Internet, and other media.
- C. The library will release information to the parent or guardian of a minor child for the purpose of recovering overdue materials and settling accounts for lost, late or damaged material, and for other matters related to the recovery of material or charges incurred by minor children for which a parent or guardian may be considered liable. However, information will not be provided to the parent or guardian who is merely attempting to determine what library materials a minor child is using.
- D. Illegal activity is not protected, and library users have no expectation of privacy as to activities that violate the law. The library may review user records when a violation of the law or library policy is suspected.
- E. Responsibility of library patrons: privacy in using the internet, fax/skan/copy machines, etc. in the library cannot be guaranteed. Patrons will complete a library provided cover sheet for faxes. The library accepts no responsibility for information on screens or personal documents that may be inadvertently viewed by others.

Adopted by the Board 4/14/2003. Reviewed 2/26/07, 10/20/14, 11/20/17. Revised 7/18/11, 8/28/23.