

# Suffern Free Library Confidentiality of Patron Records

*Approved by Suffern Free Library Board of Trustees on May 24, 2022*

*This policy supersedes all prior policies and practices relative to this subject.*

*The Suffern Free Library adheres to the New York State Laws on Library Records (Civil Practice Laws and Rules, Section 4509), 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, Inter-Library 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.*

Suffern Free Library also ascribes to the American Library Association's Code of Ethics, III. We protect each Library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted.

The choice of books and other Library materials and the use of the informational resources of the Library are essentially an individual's private matter. It is the intent of the Board of Trustees of the Library to maintain the confidentiality of registration, use patterns, and borrowing records of those using the Library to the maximum extent possible while remaining compliant with state and federal laws and regulations.

## **CONFIDENTIALITY POLICY:**

Library staff will not divulge patron registration information or borrowing records to local, state or federal authorities or to any group, agency, corporation, or institution without a duly executed court order or court-ordered subpoena or search warrant.

Library staff will not divulge patron records to a third party except:

- To the parent/guardian for overdue records of a youth under 18 years for which a parent/guardian is held financially responsible;
- To a family member with clear identification picking up reserve materials on hold for another immediate family member; and Library patron who has given permission by completing a Disclosure of Records Consent Form (see attached).
- To a parent/guardian with clear identification seeking a record of current titles borrowed by a child under 12 years of age.
- Under unusual circumstances such as illness and then only at the request of and for the convenience of a borrower.

Further, Library staff will not divulge the Library's records pertaining to reference queries; title records; reserve requests; the number of or character of questions asked by a patron; computer search information; or the frequency or content of a patron's lawful visits to the Library or any other information supplied to the Library without a court order or a court-ordered subpoena or search warrant.

The issuance of a court order, following a showing of good cause based on specific facts, by a court of competent jurisdiction, will be the only basis on which confidential information will be released. The Library Director will consult with the Library's attorney to determine the bona fides of the order or subpoena. If the Director is unavailable, staff will inform the Board President who shall consult with the attorney and then guide the staff.

Public access to general Library records is governed by the freedom of information laws of the State of New York and United States.