

**WOODBURY PUBLIC LIBRARY  
POLICY/PROCEDURES MANUAL**

**CONFIDENTIALITY OF LIBRARY RECORDS AND USAGE**

**Section 1: Library Records Considered Confidential**

The policy of the Woodbury Public Library is to preserve the privacy of its circulation, borrower registration, and patron usage records and to treat them with confidentiality.

Section 11-25(b) of the General Statutes of Connecticut states, *“Notwithstanding the provisions of section 1-210, personally identifiable information contained in the circulation records of all public libraries shall be confidential.”* Pursuant to this statute, and as recommended by the American Library Association and the Connecticut Library Association, the Woodbury Public Library recognizes the following information as confidential in nature:

1. Circulation records, including but not limited to titles and number of items checked out, held on reserve, overdue, or borrowed from another library through interlibrary loan;
2. Borrower registration records that are prerequisite to issuing library cards and permitting individuals to borrow library materials;
3. Computer-traceable or stored information or records of what library patrons viewed on the Internet while using the library’s public-access computer terminals.

The above-cited records may be revealed only as follows:

1. To the individual named in the record;
2. To the parent or legal guardian of a minor (defined by the State of Connecticut as any person below the age of 18), the party made financially responsible for damages or losses to the library caused by the minor;
3. In accordance with **Section 4 : Surrender of Records.**

**Section 2: The USA Patriot Act**

On October 26, 2001, the President of the United States signed a congressionally-approved law entitled the *Uniting and Strengthening America by Providing Appropriate Tools Required to*

*Intercept and Obstruct Terrorism Act*, commonly known as the *USA Patriot Act*. Among its provisions, Section 215 of this law:

- authorizes the Federal Bureau of Investigation (FBI), or any police department deputized by the FBI, to compel immediate production of records from a library, including circulation, borrower registration, and Internet usage records, even without showing probable cause;
- prohibits a library employee who receives a demand for records under this law from talking with *anyone* except an attorney about the request, on threat of arrest and prosecution;
- prohibits notification to a patron that his/her records have been requested, on threat of arrest and prosecution;
- preempts and overrides all state laws declaring library records to be confidential.

### **Section 3: Records Retention**

As has been its practice in the past, the library will continue to preserve the privacy of confidential records as follows:

- The library shall create and maintain only those paper and electronic records that are deemed necessary to the efficient operation of the library.
- The library shall destroy all records containing personally-identifiable patron information once they are no longer considered necessary to the efficient operation of the library.
- Circulation and interlibrary loan records shall be maintained only long enough to ensure the safe return of materials.
  - All records relating to Internet and other computer usage, plus usage of the library's other public-access equipment, shall be destroyed thoroughly in order to eliminate the opportunity for recovering personally-identifiable patron information. These records shall be destroyed as promptly as is reasonably practicable, but no less than once per day of library operations.

### **Section 4: Surrender of Records**

Information contained in the records specified in Section 1 above shall not be made available by any library trustee, employee, or other associated person to any person or to any agency of

federal, state, or local government without the permission of the patron involved, except pursuant to such process, order, or subpoena as may be authorized under the authority of, and pursuant to, federal, state, or local law relating to civil, criminal, or administrative discovery procedures or legislative investigative power.

Patron information as specified above shall be provided to the proper authority when a proper show of good cause has been made in a court of competent jurisdiction. Upon receipt of such process, order, or subpoena, the library's Board of Trustees will consult with Town Counsel or with other legal counsel to determine if such process, order, or subpoena is in proper form and if there is a showing of good cause for its issuance. If the process, order, or subpoena is not in proper form or if good cause has not been shown, they will insist that such defects be cured before compliance is granted.

The library shall establish procedures for the staff to use in responding to demands for confidential information made under the USA Patriot Act.

#### **Section 5: Patron Records Beyond the Library's Control to Keep Confidential**

The library's automated system, including its circulation records, borrower registration records, and automated catalog system, is connected to an offsite vendor system. Eradication of all patron information at these offsite locations cannot be guaranteed.

In addition, the library has no control over any data that a library computer user sends to another computer server during an Internet session and, although transactions are erased regularly, data can remain on the hard drive of a computer, thereby allowing sophisticated software to locate and retrieve the data at a later time.

In addition, national security systems or computer hackers possibly may monitor computer searches.

WPL Board of Trustees  
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