



Privacy

Last Updated: June 18, 2003

Background

State law provides that personally identifiable information contained in the circulation records of public libraries in Connecticut is confidential. Moreover, for many years, the Code of Ethics of the library profession has stated that librarians should protect a patron's right to privacy and confidentiality when using the library to obtain information and resources. The Ferguson originally adopted a policy on privacy and confidentiality in 1970. The manner in which information is received, stored and utilized, and the ways in which the public uses libraries, has changed remarkably over the past fifty years. Accordingly, the Ferguson Library has decided to restate its policy on privacy and confidentiality in light of these changed circumstances, as well as the current need to balance security concerns.

Policy

It is the policy of the Ferguson Library to maintain the confidentiality of its circulation records and other records identifying the names of Library users or containing other personally identifiable information, subject to applicable law. Such records shall not be made available to any agent of the state, federal or local government without the individual's authorization or consent except pursuant to such process, order or subpoena as may be authorized under the authority of, and pursuant to, state, federal or local law relating to civil, criminal or administrative discovery procedures or legislative investigative powers.

It is also the policy of the Ferguson Library to create and maintain only those records which are necessary for the efficient operation of the Library. The Library will maintain a schedule for the deletion of records which are no longer necessary, subject to applicable law. The president of the Library shall have the exclusive discretion to determine the appropriate retention of Library records.

Procedures

The president of the Library, and/or any person duly appointed in writing by the president, shall be responsible for handling all law enforcement or similar requests to obtain the Library's confidential information. The president shall immediately consult with legal counsel to determine if such request is in proper form and to formulate an appropriate response.

Library staff and volunteers shall immediately refer all law enforcement inquiries to the president or, in his or her absence, to the duly appointed person, and shall not release any confidential information until authorized in writing by the president or the appointed designee.

If the governmental agent does not have a subpoena or court order compelling the production of records, the president or designee shall explain the Library's privacy and confidentiality policy and the state's confidentiality law, and shall inform the agent that the Library's confidential information is not available without the production of a valid subpoena or court order. If the agent produces a court order, the president shall immediately refer the court order to legal counsel for review. Based upon advice of legal counsel, the president, or designee shall determine whether to release the requested confidential information.

Subject to the provisions of applicable law, the president of the Library will report in writing to the Board of Trustees, at least monthly, describing each instance, if any, in which the Library has received a request for information from state or federal law enforcement agents, whether informally or by subpoena or court order, including the Library's response to such request and the current status thereof.

ADOPTED by the Board of Trustees on the 18th day of June, 2003.