

LIBRARY RECORDS CONFIDENTIALITY ACT

The Library complies with and enforces the Illinois Library Records Confidentiality Act, 75 ILCS 70/1 which prohibits, except in limited circumstances the making of any information contained in registration and circulation records public, or available to the public.

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 Poplar Creek Library District 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.

No staff shall use or share patron information with any other individual or individuals, except as is necessary to fulfill the duties of his or her position. This specifically includes, but is not limited to, information concerning overdue materials, reserves or interlibrary loan items.

Violation of this policy may result in disciplinary action, up to and including immediate dismissal.

Approved March 19, 2015

Officer's Request for Confidential Library Information

- 1. This is a request under the Illinois Library Confidentiality Act, 75 ILCS 70/1 for information contained in the library's registration and/or circulation records.
- 2. My request for information is limited to identifying a "suspect, witness or victim of a crime."

3. As the basis for this request, I represent the following:

A. I am a sworn law enforcement officer and

B. As a result of an emergency where I believe there is imminent danger of physical harm, it is impractical to secure a Court Order for the identification information.

4. The information I request relates to the following event (describe event and information sought)

Officer's Name (print) Officer's Agency/Department Badge Number

Officer's Signature Date Signed Time Signed

5. Officer's Acknowledgment - I acknowledge receipt from the Poplar Creek Public Library District of the information I requested.

Officer's Signature _____

6. Name of staff member assisting with the information requested.
