

LIVERMORE PUBLIC LIBRARY

CONFIDENTIALITY OF PATRON RECORDS POLICY

In accordance with public law and the recommendations of the American Library Association, all records, formal and informal, of the Livermore Public Library relating to patron registration and the subsequent borrowing by patrons of materials provided by the Library are considered to be confidential in nature.

Library patron registration and borrowing records are confidential under the Public Records Act, California Government Code, Title I, Division 7, Chapter 3.5, Section 6267:

Sec. 6267. Registration and circulation records of libraries supported by public funds. All patron use records of any library which is in whole or in part supported by public funds shall remain confidential and shall not be disclosed by a public agency, or private actor that maintains or stores patron use records on behalf of a public agency, to any person, local agency, or state agency except as follows:

(a) By a person acting within the scope of his or her duties within the administration of the library.

(b) By a person authorized, in writing, by the individual to whom the records pertain, to inspect the records.

(c) By order of the appropriate superior court.

As used in this section, the term "patron use records" includes the following:

(1) Any written or electronic record, that is used to identify the patron, including, but not limited to, a patron's name, address, telephone number, or e-mail address, that a library patron provides in order to become eligible to borrow or use books and other materials.

(2) Any written record or electronic transaction that identifies a patron's borrowing information or use of library information resources, including, but not limited to, database search records, borrowing records, class records, and any other personally identifiable uses of library resources information requests, or inquiries.

This section shall not apply to statistical reports of patron use nor to records of fines collected by the library.

The Council of the American Library Association strongly recommends that the responsible officers of each library in the United States formally adopt a policy recognizing its circulation records and other records identifying the names of library users to be confidential in nature and advise all librarians and library employees that such records shall not be made available to any agency of state, federal, or local government 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 power.

In order to prevent an unreasonable invasion of personal privacy, the contents of registration and circulation records shall not be made available to anyone except the individual patron whose record is in question or under written order of the Library Director, such order having been issued pursuant to a proper legal process, order or subpoena under the law. A parent or legal guardian who has signed for a child's library card may only be given information concerning the child's overdue items and fines when the account is being settled.

Upon receipt of any process, order or subpoena, the person named and/or served shall immediately report to and consult with the Library Director, who will consult with legal counsel to determine if such process, order or subpoena is proper legal authority. In the event the legal process fails to sufficiently identify or name, in specific terms or specifications, the records on file in respect to an identified library patron, the request is considered to be defective and not binding upon the Library and its personnel, except under further due process of law.

Patron Requests

A patron must present their barcode number or valid ID before any information will be given concerning:

- A. Items charged out
- B. Items overdue
- C. Fine information
- D. Hold Information (either items on hold or those awaiting collection)

When speaking to a family member and not to the patron, information about the material should be restricted to the borrower's accounts for the library.

Example:

1. A DVD borrowed is overdue and should be returned.
2. A book that had been reserved is now in and can be picked up.

If information is requested by a person other than the patron, staff should state that they are only permitted to discuss specific information with the patron.

Patron Information

Addresses, phone numbers or any other personal information from a patron's record should not be given out.

If someone finds a library card, have them return it to the Library .

If someone finds a library card with other personal belongings and wants to return them, take their phone number. The Library will contact the patron and have them contact the person who found the card.

If a card is found at the scene of a crime or an accident, the request for information should be referred to the Library Director.

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Livermore Public Library Board of Trustees