



**Joliet Public Library
Patron Confidentiality and Privacy Policy and Procedures**

Joliet Public Library Privacy Policy

Library records are always confidential in nature and we are dedicated to preserving the confidentiality of these records. The Joliet Public Library follows Illinois State Law regarding the confidentiality of library records, as listed in the Library Records Confidentiality Act (cited below). Library staff shall develop such rules and procedures as are necessary to ensure patron confidentiality and privacy.

75 ILCS 70/1 Library Records Confidentiality Act

(75 ILCS 70/1) (from Ch. 81, par. 1201)

Sec. 1. (a) The registration and circulation records of a library are confidential information. No person shall publish or make any information contained in such records available to the public unless:

- (1) Required to do so under a court order; or
- (2) The information is requested by a sworn law enforcement officer who represents that it is impractical to secure a court order as a result of an emergency where the law enforcement officer has probable cause to believe that there is an imminent danger of physical harm. The information requested must be limited to identifying a suspect, witness, or victim of a crime. The information requested without a court order may not include the disclosure of registration or circulation records that would indicate materials borrowed, resources reviewed, or services used at the library. If requested to do so by the library, the requesting law enforcement officer must sign a form acknowledging the receipt of the information. A library providing the information may seek subsequent judicial review to assess compliance with this Section. This subsection shall not alter any right to challenge the use or dissemination of patron information that is otherwise permitted by law.

(b) This Section does not prevent a library from publishing or making available to the public reasonable statistical reports regarding library registration and book circulation where those reports are presented so that no individual is identified therein.

(b 5) Nothing in this Section shall be construed as a privacy violation or a breach of confidentiality if a library provides information to a law enforcement officer under item (2) of subsection (a).

(c) For the purpose of this Section, (i) "library" means any public library or library of an educational, historical or eleemosynary institution, organization or society; (ii) "registration records" includes any information a library requires a person to provide in order for that person to become eligible to borrow books and other materials and (iii) "circulation records" includes all information identifying the individual borrowing particular books or materials. (Source: P.A. 95 40, eff. 1 1 08.)

(75 ILCS 70/2) (from Ch. 81, par. 1202) Sec. 2. This Act may be cited as the Library Records Confidentiality Act. (Source: P.A. 86 1475.)

Joliet Public Library Privacy Procedures

1) Requests for information from federal, state, and local authorities

1a – Requests without a court order or subpoena

If a federal, state or local authority requests private and confidential information without a subpoena, search warrant or court order, we cannot provide them with this information. Confidential information includes patron registration and circulation records, interlibrary loan information, computer use information, any information on the computer hard drive or library network, and information about patron reference questions.

“Imminent danger” clause to Library Records Confidentiality Act

If a law enforcement officer has probable cause to believe there is an emergency situation where there is imminent danger of physical harm to an individual, the most senior person available (generally the designated Person in Charge) will handle this situation. In these circumstances the library can give them identifying information about an individual. We can tell them if the person was in the building but not what they did in the building. We cannot give them circulation records, computer records, or any records indicating services used at the library. We can give them the person’s name, address, and phone number. The officer must sign an Officer’s Request for Confidential Library Information form acknowledging receipt of the information.

1b – Requests with a court order or subpoena

If a staff member is served with a subpoena, a request for information under the Patriot Act or other official requests for information by state and local authorities, take the following steps:

1 - Notify the designated library authority before taking any action. If the Director or Deputy Director is not in the building, attempt to contact first the Director, and then the Deputy Director if the Director is unavailable. The designated authority will be responsible for following the appropriate steps. The designated authority is (in order of availability):

- 1 - The Library Director (call if not in building)
- 2 - The Library Deputy Director (call if not in building and unable to reach Library Director)
- 3 - The Designated Person in Charge

2 - Identify the officials. Request identification from law enforcement officials and record their name, badge number and agency.

3 - Review the document. Get a copy if possible.

4 - Notify the library attorney. Ask the officials to wait until the attorney is present before beginning the search. Library attorney contact information:

Dennis Walsh
Klein, Thorpe & Jenkins, Ltd.
20 N. Wacker Drive, Suite 1660
Chicago, IL 60606-2903

5 - Cooperate with officials in providing any information within the scope of the search warrant. DO NOT PROVIDE ANY INFORMATION THAT IS BEYOND THE SCOPE OF THE SEARCH WARRANT.

6 - Record all evidence viewed, copied and removed from the library.

NOTE: If federal, state or local authorities request footage from any of the library security cameras, refer the law enforcement officer to the Library Director, Library Deputy Director, or Person in Charge. If the law enforcement officer does not have a subpoena or search warrant, they can fill out a Freedom of Information Request in order to access the security camera footage. The library Head of Security has the ability to retrieve this footage. Contact the Head of Security or, if the Head of Security is not available, another staff member capable of retrieving security camera footage. (See Person in Charge Manual for list)

If a crime is committed against the library (such as theft of library property or assault), library staff will cooperate fully with any investigation and provide any information we have available.

2 - Requests for confidential and private information from the public

2a - Circulation Records

Library staff cannot give any information about a patron's registration and circulation record to anyone other than the patron. If a patron calls with a question about their account, they must provide their card number in order for us to provide any information about their account. This means staff cannot give out information such as patron address or phone number, or information about titles patrons have checked out or placed on hold, to anyone but the patron **with the following exceptions:**

1 - If a patron gives their library card to a family member or friend, that person will then be acting as the patron's proxy and can use the card to check out materials, pick up holds, renew items, and all other inquiries in the place of the patron. If a patron's library card has been lost or stolen, it is the patron's responsibility to inform the library that the library card needs to be stopped.

2 - In the case of overdue materials or overdue fines when no library card is presented, the parent or guardian who has signed for financial responsibility of the minor child may be given a list of the overdue materials and the titles relating to the overdue fines. Only the parent or guardian who has signed for financial responsibility may be given this information. Title information on items that are not overdue will not be given if no library card is presented.

3 - In the case of overdue materials information may be given to the city legal department or a collection agency for the purpose of reclaiming missing materials.

2b - Patron Holds

Library staff cannot allow a family member or friend to pick up items on hold or otherwise access patron information without authorization from the card holder. Authorization may be provided by giving the library card to a designated proxy or by filling out the Hold Pickup Authorization Form.

2c - Computer Records

Staff cannot give patrons information about what other patrons are accessing on the computers, nor can they tell people who is currently on the computers or who has been on the computers. This includes friends and family members asking for information about who has been or who is currently on the computers.

2d - Information Services Records

Staff cannot give patrons information about what reference questions other patrons have asked or information about database searches or computer searches they have conducted. They cannot give patrons information about Interlibrary Loan Requests made by other patrons.

2e - Privacy of Patrons in the Building

Library staff cannot give out information about other patrons in the building. If people call asking if another person is in the building we cannot tell them if that person is in the building. This also applies to family members such as a spouses, parents and grandparents. If it is truly an emergency situation, we can tell the person on the phone we will take their number and if we find the person they are looking for, we will tell them to call them back. Patrons cannot view footage from our security cameras. Security camera footage is strictly for issues of safety and criminal activity. Only staff and authorized law enforcement personnel may have access to security camera footage.

2f – Privacy of Staff in the Building

Library staff cannot give out private information about other staff members, including their work schedule. **Staff members have the same rights to privacy as patrons.**

3 – Retention schedule for patron and circulation records

3a—Patron Records

Unencumbered expired patron records should be deleted no later than 3 years after the expiration date. Expired patron records with a dollar amount less than \$50.00 in fines or lost items should be deleted no later than 4 years after the expiration date. Expired patron records with a dollar amount of \$50.00 or more in fines or lost items should be deleted no later than 8 years after expiration date.

3b—Circulation Records

The circulation records of individual patrons will automatically be retained while the library item is still on their account. Patrons can opt-in to retain their circulation records history, which will then be retained in the database until the patron record is deleted or the database changes.

OFFICER’S REQUEST FOR CONFIDENTIAL LIBRARY INFORMATION

A. This is a request under the Library Records Confidentiality Act, 75 ILCS 70/1 for information contained in the Library’s registration and/or circulation records.

B. My request for information is limited to identifying a “suspect, witness, or victim of a crime.” I understand that the information requested shall not include records of materials borrowed, resources reviewed or services used at the library.

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

- 1. I am a sworn law enforcement officer.
- 2. 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.

D. The information I request relates to the following:

(description of information sought)

Officer’s signature

Officer’s Agency/Department

Officer’s printed name

Date signed

Officer’s badge number

Time signed

OFFICER’S ACKNOWLEDGEMENT

I acknowledge receipt from the Library of the information I requested.

Officer’s signature

Date signed

...
(Library Use Only)

Name(s) of Library Staff assisting with the information requested:
