

## POLICY ON CONFIDENTIALITY OF PATRON RECORDS

**APPROVAL DATE:** Revised: **July 15, 2003** 

Approved: February 18, 2003

It is the policy of the Whatcom County Library System to protect the privacy of library borrowers, in accordance with the First Amendment of the Constitution of the United States, American Library Association Policies, and State of Washington RCW 42.17.

## BASIC CONCEPT:

Free and uninhibited access to library materials and information, as well as the right to dissent, is necessary to a democratic society. An individual must be able to inquire or read freely, without worry of being monitored, damaging one's reputation, being ostracized, or liable for criminal penalties.

## Accordingly,

- 1. WCLS circulation records and other records identifying the names of borrowers are confidential and are protected by the rights of privacy established by the Constitution of the United States and the Constitution and law of the State of Washington.
- 2. Such records and files shall not be made available to any individual, organization, entity, or any agency of federal, state or local government except pursuant to such process, order or subpoena as may be authorized by law. Any such legal requests are to be referred immediately to the WCLS Director;
- 3. The WCLS Director will take such action as necessary, including consulting with an attorney, to determine that any court order or process issued is lawfully executed and requires such records be made available:
- 4. Library records, including records of patron names, addresses and other personal information are used by staff only for the purpose of conducting normal library business;
- 5. WCLS shall not inquire into the purposes for which borrowers request information or materials, except to assist borrowers in finding what they requested;
- 6. Information from library records may be given to borrowers in person, over the phone or via mail. Borrowers requesting such information must provide staff with their name, address and birth date, or library card number. When a patron is unable to confirm his/her identity to the staff member's satisfaction, a print-out of the information may be mailed to the patron, using the address provided by the patron record.

American Library Association policy states that neither libraries, their resources, nor their staff should be used in any scheme to elicit and catch criminal behavior. Of course, staff observing illegal behavior of an emergency nature should report to law enforcement

## **EXCEPTIONS:**

- HOLDS: A borrower may indicate which party or parties can act on his or her behalf and have access to the borrower's account only for the purpose of picking up holds by any of the following methods: a) having the "Permission to Pickup Holds" block in place, b) sending his or her library card or written request or hold pick-up notice with another party or c) by calling the library to authorize permission.
- OVERDUES: Records pertaining to overdue library materials may be released to parents/guardians, collection agencies, and any other parties deemed appropriate by WCLS.

Amory Peck, Chair, WCLS Board of Trustees