



Confidentiality of Library Records

"All records concerning library users and materials used or checked out by users are confidential and will not be made available to any agency of state, federal, or local government or any other person unless a court order requiring disclosure has been entered by a court of competent jurisdiction. All requests for such information must be referred to the Library Director or his/her designee." The Livonia Public Library has adopted the following state law into policy in regards to library records: New York State consolidated Laws Civil Practice Law and Rules Article 45. Evidence NY CLS 4509 Library records, which contain names or other personally identifying details regarding the user of public, free association, school, college and university libraries and library systems of this state, including but not limited to records related to the circulation of library materials, computer database searches, interlibrary loan transactions, reference queries, requests for photo copies, of library materials, shall be confidential and shall not be disclosed except that such records may be disclosed to the extent necessary for the proper operation of such library and shall be disclosed upon request or consent of the user or pursuant to subpoena, court order or where otherwise required by statute.

Although the Livonia Public Library makes every effort to protect your privacy, under the federal USA PATRIOT Act (Public Law 107-56), records of the books and other materials you borrow from this library may be obtained by federal agents. That federal law prohibits library workers from informing you if federal agents have obtained records about you. Questions about policy should be directed to the current Attorney General, Department of Justice, Washington, D. C. 20530.

Request for Patron Information

The Livonia Public Library staff does not disclose library records with personal identifying details to anyone other than the customer identified in the records, and other library staff as necessary to perform library tasks. The Livonia Public Library Board of Trustees has adopted this statement of confidentiality. Refer any requests for such information to the Library Director.

Procedures for when law enforcement officer visit:

Staff should immediately notify the highest-ranking authorized person in the building. If the Director is not in the building, a designated staff member will be responsible for working with the government investigator in accordance with stated procedures.

1. Ask to see the identification of the agent(s) and write down the name and badge number. If those claiming to be FBI or other agents refuse to show identification, contact the local police (911) immediately and ask for officers to come to the library.
2. To search library premises for information about patrons or library staff members, law enforcement officials must present search warrants, court orders, or national security letters authorizing this activity. Staff members in charge should always ask for such documents BEFORE searches begin. If there are no papers presented and no



emergency situation exists DO NO DISCLOSE any information until such documents are available. If they present a subpoena, direct either the person or the paper to your supervisor, who in turn will direct it immediately to legal counsel (Town of Livonia attorney) for examination. If they present a warrant, do not interfere with their search or seizure, and call your supervisor or some other office as soon as possible. Highest ranking staff member should ask if they can wait for the arrival of legal counsel and conduct a dialog with them to find out what they really need and be helpful in obtaining the information without taking more than they need. Notify the Executive Director of OWWL System as they are responsible for the server.

3. Investigation officers may declare a search as an emergency with immediate danger if their efforts are delayed. These circumstances may prevent immediate production of appropriate valid search warrants or other documents for examination. Staff members should ask that the documents be provided within 24 hours and carefully note the names of agents and the reasons given by them for conducting the search before presenting court documents.
4. A report must be filed whenever official investigations are undertaken on library premises.
5. The following types of situations might be involved in an investigation.
 - a. Request to see list of Internet Users.
 - b. Request to see patron registrations.
 - c. Request to see list of items checked out by borrower. Only overdue and current items are available via the ILS, Evergreen. Purged borrower records Only from PLS.
 - d. Confiscation of Internet stations and/or computers.
 - e. Asking general questions by agents about any suspicious persons or activities in the library. Answer truthfully. Avoid giving names or specific information unless asked and court order is presented, or an emergency situation is insisted upon by the agent.
 - f. Specific question about seeing a person or persons depicted in photograph or sketch using the library regarding dates, times, places, etc. Make sure that all staff that may have been on duty in the places and times have a chance to see the photos.
 - g. If agents require staff to not repeat or divulge information about their investigations, inform agents that library officials, attorney, and board members must be kept apprised of all investigatory actions undertaken in the library. While on duty, staff members are employed as public servants as are police and FBI agents. The library, as an organization, is responsible for the actions of staff members in the discharge of their duties and as a corporate body should be charged with the maintaining of any confidences relative to investigations undertaken on library premises.
 - h. If you believe that you have some information about activities in the library which might be of importance to the authorities, notify the director or the highest-ranking staff member who will decide whether to approach outside investigatory



agencies. Library legal counsel may need to be contacted before initiating action. However, if it is believed that injury to patrons or staff might be imminent, contact 911 immediately.

Adopted Livonia Public Library Board of Trustees Feb. 2002

Approved March 9, 2009

Amended: November 13, 2018

Amended: November 9, 2021

Amended: August 13, 2024