

Marshalltown Public Library Confidentiality of Library Records Policy

Adopted 2-20-03

Reviewed 11-07

Reviewed 1-18

The Marshalltown Public Library, its Board of Trustees, and staff affirm the centrality of free and uncensored access to information to our democratic form of government. We support our patrons' right to confidentiality as essential in protecting the exercise of rights guaranteed by the First Amendment.

This policy has been developed in concert with the Code of Iowa Chapter 22.

22.7 Confidential Records

13. The records of a library which, by themselves or when examined with other public records, would reveal the identity of the library patron checking out or requesting an item or information from the library. The records shall be released to a criminal or juvenile justice agency only pursuant to an investigation of a particular person or organization suspected of committing a known crime. The records shall be released only upon a judicial determination that a rational connection exists between the requested release of information and a legitimate end and that the need for the information is cogent and compelling.
14. The material of a library, museum or archive which has been contributed by a private person to the extent of any limitation that is a condition of the contribution.

Confidentiality extends to information sought and received; sources consulted or borrowed; database search records; reference interviews by staff; interlibrary loan records; computer use records; and all other identifiable uses of library materials, facilities, or services.

Additionally, the Marshalltown Public Library will hold confidential the names of library card holders and their registration information, and not provide access for private, public, or commercial use.

In keeping with the rationale above, the following will be the policy of Marshalltown Public Library:

1. The Library Director is the lawful custodian of all library records.
2. Registration, circulation, and interlibrary loan records will be kept confidential.
3. If it is believed that library registration or circulation records are necessary to the progress of an investigation or prosecution, the judicial system provides the mechanism for seeking release of such confidential records: subpoena or search warrant.
4. Registration or circulation records shall not be made available to any agency of local, state, or federal government except by subpoena or search warrant authorized under the authority of, and pursuant to, local, state, or federal law.
5. If presented with a subpoena, staff should direct the law enforcement officer to the Library Director. Release of requested information will proceed only when the Library Director has received the subpoena, and the City Attorney has reviewed the document for legal sufficiency.
6. If presented with a search warrant, staff should contact the Library Director and City Attorney. If the presenting officer is unwilling to wait until the arrival of the City Attorney to begin the search, staff should not make any effort to impede or obstruct the search.
7. Specific procedures to ensure the confidentiality of library users will be explained to all new library staff and reviewed annually with existing staff.