

Putnam Public Library
Privacy and Confidentiality of Library Records

Section 1: Confidentiality of Library Records

The policy of the Putnam Public Library is to preserve the privacy of its circulation, borrower registration, and patron usage records and to treat them with confidentiality. Section 11-25(b) of the General Statutes of Connecticut states, "...personally identifiable information contained in the circulation records of all public libraries shall be confidential." Pursuant to this statute, and as recommended by the American Library Association and the Connecticut Library Association, the Putnam Public Library recognizes the following information as confidential in nature:

1. Circulation records, including but not limited to, titles and number of items checked out, held on reserve, overdue, or borrowed from another library through interlibrary loan;
2. Borrower registration records that are prerequisite to issuing library cards and permitting individuals to borrow library materials;
3. Computer-traceable or stored information or records of what library patrons viewed on the Internet while using the library's public-access computer terminals.

The above-cited records may be revealed only as follows:

1. To the individual named in the record;
2. To the parent or legal guardian of a minor (defined by the State of Connecticut as any person below the age of 18), the party made financially responsible for damages or losses to the library caused by the minor;
3. In accordance with Section 4 below.

Section 2: The USA Patriot Act

On October 26, 2001, the President of the United States signed a congressionally-approved law that expanded the authority of the federal government to conduct investigations of individuals in the interests of national security. Among its provisions, Section 215 of this law:

- authorizes the FBI, or any police department deputized by the FBI, to compel immediate production of records from a library, including circulation, borrower registration, and Internet usage records, without showing probable cause;
- prohibits a library employee who receives a demand for records under this law from talking with anyone except an attorney about the request, on threat of arrest and prosecution;
- prohibits notification to a patron that his/her records have been requested, on threat of arrest and prosecution;
- preempts and overrides all state laws declaring library records to be confidential.

The library community of the United States believes that these provisions of the USA Patriot Act constitute a threat to the public library tradition of patron anonymity, to political and religious freedom, and to a free and democratic society.

Section 3: Records Retention

As has been its practice in the past, the library will continue to preserve the privacy of confidential records as follows:

- The library shall create and maintain only those paper and electronic records that are deemed necessary to the efficient operation of the library.
- The library shall destroy all records containing personally-identifiable patron information once they are no longer considered necessary to the efficient operation of the library.
- Circulation and interlibrary loan records shall be maintained only long enough to ensure the safe return of materials.
- All records relating to the Internet and other computer usage, plus usage of the library's other public-access equipment, shall be destroyed thoroughly in order to eliminate the opportunity for recovering personally-identifiable patron information. These records shall be destroyed as promptly as is reasonably practicable, but no less than once per day of library operations.

Section 4: Surrender of Records

Information contained in the records specified in Section 1 above shall not be made available by any library employee or other associated person to any person or agency of federal, state or local government without the permission of the patron involved, 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 investigative power.

Patron information as specified above shall be provided to the proper authority when a proper show of good cause has been made in a court of competent jurisdiction. Upon receipt of such process, order, or subpoena, the Library Director will consult with the Town Attorney to determine if such process, order, or subpoena is in proper form and if there is a showing of good cause shown, they will insist that such defects be cured before compliance is granted.

In the event that someone's life is at risk, library records may be released to the appropriate legal authorities without a court order. If it is necessary to release patron records for an emergency, notify the Library Director as soon as possible.

The library shall establish procedures for the staff to use in response to demands for confidential information made under the USA Patriot Act.

Section 5: Patron Records Beyond the Library's Control to Keep Confidential

The library's automated system, including its circulation records, borrower registration records, and automated catalog system, is connected to an offsite vendor system. Eradication of all patron information at these offsite locations cannot be guaranteed. In addition, the library has no control over any data that a library computer user sends to another computer server during an Internet session and, although transactions are erased regularly, data can remain on the hard drive of a computer, thereby allowing sophisticated software to locate and retrieve the data at a later time. In addition, national security systems or computer hackers possibly may monitor computer searches.

Adopted by the Putnam Public Library Board of Directors, April 27, 2009