

Policy and Procedures in Response to the USA PATRIOT Act of 2001 NORWELL PUBLIC LIBRARY

Policy Statement: The Norwell Public Library strives to protect the privacy of library patrons to the fullest extent of the law. No confidential information on library patrons will be revealed to the authorities without presentation of a subpoena or search warrant. When using library computers patrons should be aware that the library cannot and does not guarantee privacy. When using library computers patrons should be aware that the library cannot and does not guarantee privacy. Patrons should not have an expectation of total security in a networked system of shared public-access computers.

Regulations: The Norwell Public Library will retain only as much information about library patrons as required to provide services. Personal information on patrons will be discarded as soon as it is no longer needed. The library keeps no permanent record of Internet sites visited, electronics databases used, or searches performed by patrons.

Procedures for staff:

Staff will follow these procedures if law enforcement official asks for confidential patron information such as names, addresses, or library materials borrowed, or presents a subpoena or search warrant.

1. A member of the staff who is approached by anyone alleging to be a law enforcement officer should immediately contact the Library Director or the Systems Manager or in their absence the Person in Charge. No information should be disclosed to the officer.
2. The Director, Systems Manager or Person in Charge will ask to see official identification, photocopy the ID and ask to see the search warrant or subpoena and will immediately contact the Town Administrator for review of the document's legal sufficiency.
3. If presented with a search warrant, staff will not interfere with the search and seizure.
4. If presented with a subpoena, the Director, Systems Manager or Person in Charge will ask for time to consult with the Town Administrator and respond to the request.
5. Records should be kept of all legal requests and of any items removed from the library by law enforcement officials.
6. Some search warrants or subpoenas issued under the USA Patriot Act come with a "gag order" attached, preventing staff from telling the patron or the public that information has been provided to the FBI. The Act includes language to immunize librarians against civil suits in such a case.

Reminder:

Subpoena- do not give out information until legal counsel has reviewed the document.

Search warrant- may be executed immediately by a law enforcement officer.

Accepted by Board of Trustees January 20, 2004

Approved by Town Council January 2004