

CONFIDENTIALITY OF RECORDS

In accordance with the American Library Association's policy on the confidentiality of library records (adopted January 20, 1971), and the Illinois State "Library Records Confidentiality Act" (83-179, effective January 1, 1984) (75 Illinois Compiled Statutes 5/1-7 and 75 Illinois Compiled Statutes 70/1), The Urbana Free Library recognizes all registration and circulation records as confidential in nature. Such records include all information identifying the names of Library users with specific materials.

Access to these records is restricted to Library staff. Staff also may provide information to the cardholder or the cardholder who has applied for a card in the name of their child and who has signed responsibility for that card; to other libraries from which registered Urbana cardholders have borrowed books and other materials; and to agencies that the Library employs in order to forward notices, retrieve non-returned materials, or collect unpaid balances. Access to registration and circulation records by members of the general public is restricted to those circumstances hereafter provided for.

All Library staff and employees are forbidden to make such records available to casual members of the public, the press, or to any agency of federal, state, or local government, 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 investigatory power.

However, in emergency situations that present imminent danger of physical harm, law enforcement may request access to information from Library registration, circulation, or computer use records without a court order. In such imminent danger emergencies where law enforcement calls for a waiver of the court order, the requesting officer is required to provide in writing their name, agency, badge number, the nature of the emergency, and the extent of data requested. The information requested must be limited to identifying a suspect, witness, or victim of a crime. The information requested without a court order may not include the disclosure of registration or circulation records that would indicate materials borrowed, resources reviewed, or services used at the Library.

On receipt of any legal process, order, or subpoena requiring the Library to identify the names of Library users with specific materials, the Library staff shall consult with the Executive Director and the Library/City attorney to ensure that (a) the document is in proper legal form, and (b) there has been a proper showing of good cause for its issuance in a court or administrative body of competent jurisdiction. Until the legality of such process, order, or subpoena has been affirmatively shown to the satisfaction of the Library attorney, the Library shall resist its issuance or enforcement until any such defects have been cured.

Adopted June 14, 1982

Revised July 12, 2016; August 10, 2021; September 10, 2024