

East Lyme Public Library Confidentiality of Library Records and Patron Privacy

The East Lyme Public Library recognizes that privacy is essential to the exercise of free speech, free thought, and free association. In this library, the right to privacy is the right to open inquiry without having the subject of one's interest examined or scrutinized by others.

Confidentiality of Library Records

Confidentiality exists when a library is in possession of personally identifiable information about users and keeps that information private on their behalf. East Lyme Public Library circulation and registration records are strictly confidential and are to be used only to conduct library business. Patrons may access their own records from a link on the Library's website.

The records of patron use of library resources, materials or services are confidential per the laws of the State of Connecticut. Section 11-25 (b) of the General Statutes of Connecticut states that records maintained by libraries that can be used to identify any library user, or link any user to a library transaction, regardless of format, shall be kept confidential, except that the records may be disclosed to officers, employees and agents of the library, as necessary for operation of the library. Pursuant to this statute, and as recommended by the American Library Association, the East Lyme Public Library recognizes the following information as confidential:

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 computers.

The above list is not meant to be all inclusive; confidentiality applies to items that may not be listed above.

These records may be revealed only as follows:

1. To the individual named in the record;
2. As requested by an agency of the federal, state, or local government or to any other person only when a court order or search warrant requiring disclosure has been entered by a court of competent jurisdiction or persons acting within the scope of their duties in the administration of the library.

Surrender of Records

As a public institution, the library is legally required to comply with information requests pursuant to a congressionally-approved law titled "the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act," commonly known as the USA Patriot Act. In providing information pursuant to this act or by another court order, the Library shall follow the following procedures.

1. Any requests for information regarding a library user are to be referred to the library director or, in the director's absence, the library associate director, who will explain the library's policy and Connecticut law.
2. If the library staff member is presented with a subpoena, he/she is to refer the presenter to the library director or associate director, who is to contact the library's attorney to verify its validity and advise the library of what action to take.
3. If the library staff member is presented with a search warrant from a law enforcement officer, he/she is not to interfere with their search and seizure. The staff member is to contact the library director, or associate director, immediately when a search warrant has been served so that the director or associate director may ask the officer to allow them to consult with legal counsel and to ask that the library's counsel be present during the search. Whether or not the law enforcement official agrees to await the arrival of counsel, the library's attorney should be contacted. Library staff shall not interfere with a search conducted with a search warrant. A search warrant must be specific as to the information requested. Information outside of the scope of the search warrant should not be released.

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 data that a library computer user sends to another computer server during an Internet session and, although the library uses software that regularly erases transactions on public computers we cannot guarantee that said software will not malfunction from time to time. Furthermore, 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 may possibly monitor computer searches.

Library and Community Center Security Cameras

Selected areas of the Library and the Community Center where it is housed are equipped with video cameras for the protection and safety of patrons, employees, and property and to identify persons breaking the law or violating the library's code of conduct

Camera placement shall be determined by the library director within the Library, and by town officials within the Community Center. Cameras shall not be placed in areas where there is a reasonable expectation of privacy, such as toilet areas within restrooms or the staff room, nor are they positioned to identify a person's reading, viewing, or listening activities in the library.

Library cameras do not record, they only allow library staff to see low visibility spaces in the library for safety purposes. Community Center cameras record activities in real time and save images to the camera server's hard drive for approximately one week. This hard drive is located in a non-public place and is only accessible to town officials via a confidential password. Cameras will not be monitored continuously by library or town staff.

Access to the stored images is restricted to town officials and library management at their discretion. Stored images may be reviewed in the course of evaluating incidents of suspected criminal activity,

threats to the safety of patrons or staff, matters related to litigation, or violations of the library's Code of Conduct. The library director, or authorized library managers, upon notice to the director, may ask other town personnel, including the police, to review recorded images when such participation may contribute to the assessment of security concerns related to a specific incident.

Access is also allowed to any agency of the federal, state, county or local government pursuant to a subpoena, court order, or when otherwise required by law. All law enforcement requests will be referred to the library director or associate director.

Adopted by Board of Trustees November 14, 2022