

Confidentiality of Library Records Policy

Pursuant to Connecticut General Statutes Sec. 11-25(b), as may be amended or re-codified from time to time, it is the policy of the E. C. Scranton Memorial Library to protect the confidentiality of any library records, regardless of format,¹ containing personally identifiable information of library users.

“Personally identifiable information” (PII) covers a greater range than “personal identification,” such as an individual’s name, address, telephone number, social security number, driver’s license number, email address, etc. PII connects you to what you bought with your credit card, what you checked out with your library card, and what websites you visited where your web browser saved cookies. More than simple identification, PII can build up a picture of your tastes and interests — a dossier of sorts, though crude and often inaccurate.²

This protection of confidentiality covers personally identifiable information regarding users of library materials, facilities, or services, and includes, but is not limited to, information sought or received, resources consulted, borrowed or acquired, database and internet search records, reference interviews, circulation records and interlibrary loan records. Patrons may access their own records only, via the option available on the integrated library system catalog.

Any library records containing personally identifiable information are confidential and shall not be made available to any agency of the state, federal, 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 investigative power.

The E. C. Scranton Memorial Library may resist the issuance or enforcement of any such process, order, or subpoena until such time as a proper showing of good cause has been made in a court of competent jurisdiction.

All requests for records containing personally identifiable information will be immediately referred to the Library Director, or in the Director’s absence the current Supervisor/Person in Charge for appropriate action. The Library Director or the Supervisor/Person in Charge will consult with legal counsel to determine if such process, order, or subpoena is in proper form.

The Library has physical, electronic, and managerial measures in place to prevent unauthorized access to information we collect. Although designed to be as effective as possible, the Library cannot guarantee the measures will function as intended.

¹ In 2007, Public Act 07-227 expanded the confidentiality of library records to include any library record regardless of format that can be used to identify a library user or link a user to a library transaction. These confidentiality requirements do not apply to records maintained by schools or institutions of higher education. [Is this the most recent update?]

² "Privacy and Confidentiality Q&A", American Library Association, May 29, 2007.

<http://www.ala.org/advocacy/intfreedom/privacyconfidentialityqa> (Accessed May 12, 2020)

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Note regarding Confidentiality vs. Privacy

People in a public place, such as a public library, do not have an expectation of privacy. A person's identity when they enter a public library is not private or confidential, is not protected by law, and is not protected by this policy. Therefore, if local police or other law enforcement agents ask library staff if a person is in the Library, or if he has been at the Library at some time in the past, whether the agents identify the person by name or show a photo of the person, it is permissible for staff members to answer the question, without requiring the written authorization of a subpoena, court order, or any other legal document. The E.C. Scranton Memorial Library has installed cameras and a recording system for security purposes. Law enforcement agents may review this video without written legal authorization.

Adopted by the Library Board of Trustees 11/15/2004. Revised 5/18/2020.