

**Confidentiality of Library Records Policy**  
**Approved by the Library Advisory Board on March 27, 2023**

The purpose of this policy is to protect your right to privacy with respect to

1. Information sought or received.
2. Materials consulted or borrowed.
3. The status of one's financial accounts with the library.

It is the policy of the library that all circulation records and other records identifying library users remain confidential, except as otherwise provided by law.

**Types of Information the Library Collects About You**

1. Name, address, and contact information in order to obtain a library card.
2. Records of items you have currently checked out and titles you have on hold.
3. Information about overdue, lost, or damaged items.
4. Records about fines or fees.
5. Contact information for patrons who have signed up for library classes or programs.
6. Applications for people and organizations that use the meeting and study room.
7. Records of individuals who use our computers.
8. Other information relevant to services requested or offered by the library.

**How the Library Protects Your Confidentiality**

1. Retains only that personal information necessary to deliver library services.
2. Eliminates confidential information from public access and verifies your identity during telephone transactions.
3. Purges electronically or manually shreds data in accordance with applicable retention schedules.
4. Releases account information only to the account holder or to that person's authorized representative, including the adult responsible for a child's card.
5. Does not share, sell or lease your personal information to any commercial or other entity that is not affiliated with the library.
6. Regularly removes Web history, cached files, and other computer and Internet use records.
7. Does not share with third parties or private or public agencies any information about library users, the materials they check out, the information they seek, or the services they use unless required to do so under applicable law, including Section 552.124 of the Texas Government Code (see below). Library records may be subject to disclosure to law enforcement officials under provisions of state and/or federal law or to a litigant in a civil lawsuit, subject to applicable legal limitations.
8. Denies all requests from third parties for records containing personal information and refers such questions to the Director when necessary.
9. The Director consults with the City Secretary and the City Attorney, as necessary, before determining the proper response to any legal request for records.

**Protect Your Privacy**

1. Protect your library card number and PIN.
2. Notify us immediately if your card is lost or stolen.
3. Review your personal information annually and keep it up to date. Inform the library of any changes.
4. Don't allow others to use your library card. Use care in the use of your child's cards.
5. The library's Wi-Fi is an open network and therefore is not secure.
6. Be sure to log out of any secure sites you have visited on the library's computers.

## Texas Government Code

Sec. 552.124. EXCEPTION: CONFIDENTIALITY OF RECORDS OF LIBRARY OR LIBRARY SYSTEM. (a) A record of a library or library system, supported in whole or in part by public funds, that identifies or serves to identify a person who requested, obtained, or used a library material or service is excepted from the requirements of Section [552.021](#) unless the record is disclosed:

(1) because the library or library system determines that disclosure is reasonably necessary for the operation of the library or library system and the record is not confidential under other state or federal law;

(2) under Section [552.023](#); or

(3) to a law enforcement agency or a prosecutor under a court order or subpoena obtained after a showing to a district court that:

(A) disclosure of the record is necessary to protect the public safety; or

(B) the record is evidence of an offense or constitutes evidence that a particular person committed an offense.

(b) A record of a library or library system that is excepted from required disclosure under this section is confidential.

## **Procedures for Implementing Confidentiality of Library Records Policy**

The following procedures shall be observed when a subpoena or warrant is issued and served:

### **Subpoena**

1. The Library Director or designee will ask for law enforcement official's identification and contact information.
2. The Library Director or designee will accept the subpoena.
3. The Library Director or designee will inform the officer that the City Secretary and City Attorney will respond to subpoena on behalf of the library.
4. The Library Director or designee will turn the subpoena over to the City Secretary and City Attorney as soon as possible after receipt. If library staff accept service of the subpoena in the absence of the Library Director or a designee, the subpoena should be turned over to the Library Director as soon as possible. The City Manager will be notified.
5. The Library Director or designee will work with the City Secretary and City Attorney to respond appropriately to the subpoena.

### **Search Warrant**

1. The Library Director or designee will ask for the law enforcement official's identification and contact information.
2. The Library Director or designee will accept the search warrant.
3. The Library Director or designee will immediately inform the City Secretary and City Attorney to provide advice and assistance. The City Manager will be notified.
4. The Library Director or designee will ask the law enforcement official if he or she would be willing to delay the search until the City Secretary or City Attorney arrives or provides assistance.
5. The Library Director or designee will read the warrant and any attached documentation. The Library Director or designee will verify that it is signed by a judge and is issued by a local state or federal court. If there are questions about the validity of the warrant, a call should be made to the issuing court to verify the validity of the warrant or order.
6. The Library Director or designee will not agree to any additional searches or volunteer information about the items or records in the warrant.
7. The Library Director or designee will not sign any documents on behalf of the City without the advice of the City Attorney.

8. The Library Director or designee will ask the officers to provide an inventory of the items or records seized.

9. The Library Director or designee will ask if it is possible to provide copies to the officers or to make copies for the library's own records.

10. The Library Director or designee will not obstruct the search in any way.

11. If law enforcement is unwilling to cooperate, then step aside and let them get their information. Record the incident and give it to the City Secretary and City Attorney. Inform the City Manager.