



Northport-East Northport Public Library

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POLICY ON CONFIDENTIALITY OF LIBRARY RECORDS

Whereas the Northport-East Northport Public Library endorses the Code of Ethics of the American Library Association which advises that, “We protect each user’s right to privacy and confidentiality with respect to information sought or received, and resources consulted, borrowed, acquired, or transmitted” the Northport-East Northport Public Library adheres to the following Policy on Confidentiality of Library Records.

1. The Northport-East Northport Public Library recognizes its circulation records and other records identifying the names of library users are confidential in nature and not subject to disclosure under the Freedom of Information Law.
2. Such records shall not be made available to any persons, entity, agency of 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.
3. The Library will 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.
4. Upon receipt of such process, order, or subpoena, the Library Director will consult with the library’s legal counsel to determine if such process, order, or subpoena is in proper form and if there is a showing of good cause for its issuance: if the process, order, or subpoena is not in proper form or if good cause has not been shown, he/she will insist that such defects be cured.

Procedures:

1. The library staff member receiving the request to examine or obtain information relating to circulation or other records identifying the names of library users, will immediately refer the person making the request to the Library Director (or designee) who shall explain the Library’s policy on Confidentiality of Library Records.
2. The Director, upon receipt of such process, order, or subpoena, shall consult with the library’s legal counsel to determine if such process, order, or subpoena is in good form and if there is a showing of good cause for its issuance.
3. If the process, order, or subpoena is not in proper form or if good cause has not been shown, insistence shall be made that such defects be cured before any records are released. (The legal process requiring the production of circulation or other library records shall ordinarily be in the form of subpoena “duces tecum” [bring your records] requiring the responsible officer to attend court or the taking of his/her deposition and may require him/her to bring along certain designated circulation or other specified records.)
4. Any threats or unauthorized demands (i.e. those not supported by a process, order, or subpoena) concerning circulation and other records identifying the names of library users shall be reported to the library’s legal counsel.
5. Any problems relating to the privacy of circulation and other records identifying the names of library users which are not provided for above shall be referred to the Library Director.