

## CONFIDENTIALITY OF LIBRARY RECORDS

The Board of Trustees of Spencer Public Library has determined that the release of any personal information about a patron (including name and address) to an outside third party may discourage persons from obtaining a Spencer Public Library card.

The board also recognizes that the circulation records of this library are confidential in nature. Confidential records are those which by themselves, or when examined with other public records, would reveal the identity of the library patron checking out materials, requesting an item, or using specific in-house materials from the library. Such records would include reserve requests, inter-library loan records, Internet use trails, bar-coded library card applications, overdue records, sign-up sheets, and other circulation records.

All library employees are advised that patron records shall not be made available to anyone including any agency of federal, state or local government except pursuant to federal, state or local law relating to civil, criminal or administrative investigating power.

Furthermore, the library will resist the issuance of 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.

See Iowa Code 22.2, 22.7.13, and 22.7.18 "Every person shall have the right to examine and copy public records ... [however] The following public records shall be kept confidential, unless otherwise ordered by a court, by the lawful custodian of the records, or by another person duly authorized to release such information: . . . The records of a library which, by themselves or when examined with other public records, would reveal the identity of the library patron checking out or requesting an item or information from the library. The records shall be released to a criminal or juvenile justice agency only pursuant to an investigation of a particular person or organization suspected of committing a known crime. The records shall be released only upon a judicial determination that a rational connection exists between the requested release of information and a legitimate end and that the need for the information is cogent and compelling."

Iowa Code 22.7.18 "Communications not required by law, rule, procedure, or contract that are made to a government body or to any of its employees by identified persons outside of government, to the extent that the government body receiving those communications from such persons outside of government could reasonably believe that those persons would be discouraged from making them to that government body if they were available for general public examination."