1.0 Privacy

A. Purpose: To protect the privacy of library customers to the fullest extent allowable by law.

B. Library customers can use library resources and services independently and without fear of surveillance, retribution, criticism, or commercial solicitation. The library will protect the privacy of its customers to the fullest extent allowable by law.

C. The library shall not disclose any library record or provide information to individuals that identifies a person as having requested or obtained specific materials or information, or identifies a person as having used the library or its services in any other way except for the following reasons:

1) When necessary for the reasonable operation of the library.
2) Upon consent of the customer with positive identification.
3) When a parent, legal custodian, or guardian with positive identification requires access to the circulation records of their minor child (17 years old and younger) or of a legally incompetent adult.
4) When required by the issuance of a properly issued subpoena, search warrant, or other order of a court of competent jurisdiction.
5) When required by law (NCGS 125-19; USA PATRIOT Act – Public Law 107-56).

B. If a subpoena or warrant is given to a staff member, that person should

1) Immediately contact the library administrative office.
2) The library Director or in his absence, the Assistant Director, will contact the County Attorney’s Office for a review of the document’s legal sufficiency.
3) Staff will have time to collect information requested by a subpoena, but a search warrant may be executed immediately. The County Attorney’s Office should be called to be present during searches. Staff should not interfere with the activities of law enforcement officers.
4) A subpoena or warrant issued under the USA Patriot Act takes precedence over North Carolina’s laws regarding confidentiality of patron records. The fact that a subpoena or warrant were issued should not be disclosed to other parties since this is in violation of the USA Patriot Act.

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