

2.8 Confidentiality of Library Records

Personally identifiable information about library users must be kept confidential in accordance with the Illinois Records Confidentiality Act (75 LCS 70/1-2). Confidential library records (records pertaining to an individual patron's use of library materials or resources) may not be released or made available in any format to a federal agent, state, or local law enforcement officer, or any other person unless a court order in proper form has been entered by a court of competent jurisdiction. At the same time, staff must cooperate with federal, state, and local law enforcement agencies when they are acting within the scope of a lawfully issued court order.

2.8.1 Court Orders

A court order may take the form of either a subpoena or a search warrant. A subpoena allows a period of time in which to respond to or contest the court's order. A search warrant can be executed immediately by law enforcement officials.

2.8.2 Designated Contact Person

The Library Director will handle all requests to search library records pursuant to a Court Order. In the absence of the Director, the Assistant Director will act in place of the Director. In the absence of either the Director or Assistant Director, the staff member designated as Person In Charge of the Library will handle the request.

2.8.3 Responsibilities of Designated Contact Person

The Designated Contact Person is responsible for following established library procedures for responding to requests for confidential library records. If the Library Director is not present, the Designated Contact Person is responsible for notifying him or her as soon as possible that a request for confidential library records was made.

2.8.4 Disclosure of a Court Order

A search warrant may contain a "gag order." This means that no person or institution served with the warrant can disclose that the warrant has been served or that records have been produced pursuant to the warrant. No library staff member will disclose the receipt of the warrant or any information about the records sought to anyone, including the patron whose records are the subject of the search, except the Library Director and/or the library's attorney.

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