

# Confidentiality of Library Records

## Confidentiality of Library Records and e-Content Policy

The Board of Trustees of the Haddonfield Public Library believes that it is the basic right of every individual to read what s/he wishes without fear of censure or legal consequence. It also affirms the right of every person to privacy. The library will not disclose any personally identifying information except as required by NJ law. Such records will not be made available to any individual, organization or government agency except pursuant to New Jersey Law (NJSA 18:A 73-43.2), which reads: "Library records which contain the names or other personally identifying details regarding the users of libraries are confidential and shall not be disclosed except in the following circumstances:

The records are necessary for the proper operation of the library;

Disclosure is requested by the user; or

Disclosure is required pursuant to a subpoena issued by a court or court order. "

As a public institution, the Library is legally required to comply with information requests pursuant to the USA PATRIOT Act (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act, P. L. 107-56, Oct. 26, 2001.) Under this act, the person whose records are subject to a search warrant may not be notified that a search warrant has been served. It permits the FBI to obtain a search warrant from the Foreign Intelligence Surveillance Act (FISA) court to retrieve library usage records of someone who is under investigation of involvement in an ongoing terrorist or intelligence investigation. The act absolves all institutions and employees from any liability for releasing personal information in compliance with a FISA search warrant.

New Jersey's confidentiality of library records law applies to electronic content within the library's control. Libraries have a longstanding commitment to protecting the privacy of their customers. Records of physical books checked out are currently protected by law. However, the library cannot control the data practices of Google, Amazon, or other third party vendors that collect and / or disclose information about library customers and their use patterns (bookmarks, margin notes, etc.)

Adopted by the Haddonfield Public Library Board of Trustees on April 23, 2013.