

**Confidentiality Policy**  
***(Board of Trustees Approved: October 2013)***

- I. Unless preempted by federal law, Forest Park Public Library (FPPL) shall comply with the Illinois Library Records Confidentiality Act (“Act”) (75 ILCS 70/1 *et seq.*), which requires that circulation and registration records be kept confidential and that they not be published, or made available to the public (including agencies of federal, state or local government), except pursuant to a court order.
- II. The Act allows for an exemption from the requirement for a court order if ALL of the following conditions are met:
  - A. The information is requested by a sworn law enforcement officer who states that it is impractical to get a court order as a result of an emergency situation;
  - B. The law enforcement officer states that there is probable cause to believe that there is imminent danger that someone will be physically harmed;
  - C. The information requested is limited to only identifying a suspect, witness or victim of a crime;
  - D. The information requested does not include any registration or circulation records that would indicate materials borrowed, resources reviewed, or services used at the library.
- III. The Act also provides that, “If requested to do so by the library, the requesting law enforcement officer must sign a form acknowledging the receipt of the information.” The form for a law enforcement officer to request information without a court order is included as an Appendix to this policy.
- IV. Additionally, library patrons should be aware that Section 21.5 of the USA PATRIOT Act provides federal law enforcement officers with the ability to obtain a search warrant to gain access to certain library records on the basis that the officer(s) believe that the records sought may be related to an ongoing investigation related to terrorism or intelligence activities.
- V. The USA PATRIOT Act also prohibits libraries or librarians served with a search warrant issued under FISA (Foreign Intelligence Surveillance Act) rules from disclosing the existence of the warrant or the fact that records were produced as a result of the warrant, under penalty of law. A patron cannot be informed that his/her records were given to a federal agent or that the patron is the subject of any federal investigation.
- VI. The Forest Park Public Library protects the privacy of its patrons. Only records that are essential to conducting the library’s business are retained and only as long as necessary to complete the Library’s business.

### Appendix A - Officer's Request for Confidential Library Information

This is a request under the Illinois Library Records Confidentiality Act, 75 ILCS 70/1 (copy attached) for information contained in the Library's registration and/or circulation records.

My request for information is limited to identifying a "suspect, witness, or victim of a crime."

As the basis for this request, I represent the following:

1. I am a sworn law enforcement officer; and
2. As a result of an emergency where I believe there is imminent danger of physical harm, it is impractical to secure a court order for the identification information.

The information I request relates to the following:

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(description of information sought)

#### Officer's Acknowledgment

I acknowledge receipt from the library of the information I requested.

Officer's Printed Name \_\_\_\_\_

Officer's Agency/Dept. \_\_\_\_\_

Officer's Signature \_\_\_\_\_

Officers' Badge Number \_\_\_\_\_

Time Signed \_\_\_\_\_ Date Signed \_\_\_\_\_

(Library Use): Name(s) of Library staff assisting with the information requested.

Printed Name \_\_\_\_\_ Signature \_\_\_\_\_