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Policy for the Protection of the Confidentiality of Library Records

Adopted: 11/9/2021

Scope

The Henrietta Public Library (HPL) follows New York State law regarding confidentiality of library records. Section 4509 of the New York Civil Practice Law and Rules prescribes generally that details of users services shall remain confidential. The statute provides an exception to confidentiality of library user records when disclosure is necessary “for the proper operation” of the library.

In Practice

As HPL is a member library of the Monroe County Library system (MCLS) and since MCLS is the legal owner of our Online Public Access Catalog (OPAC), CARL, and facilitates our internet services, HPL will direct any requests for patron information from police and/or other governmental organizations to the MCLS Director and/or Assistant Director. HPL also relies on the MCLS Policy on Computer Use Log Retention which is also in accordance with Section 4509 of the New York Civil Practice Law.

Procedure

Upon receipt of a subpoena, court order or warrant, staff shall immediately notify the Director, Assistant Directors or Librarian-in-Charge of said request. The requesting officer will then work through the located manager who will acknowledge receipt of request by signing necessary documentation.

- Court Orders or Subpoenas do not have to be responded to immediately. A copy of issued court order or subpoena will be requested and the manager who receives such document will immediately contact the MCLS Director or Assistant Director for instruction on next steps.
- When presented with a search warrant the staff member must step aside and allow the warrant to be implemented. The law enforcement office (FBI agent, sheriff, police) can act immediately and must not be obstructed. The Director will be notified immediately that a warrant has been served. A copy of the search warrant will be retained whenever possible and it is understood that search warrant information is confidential.