

ATHOL PUBLIC LIBRARY

USA PATRIOT ACT OF 2001 POLICY

Policy and Procedures in Response to the USA Patriot Act of 2001

The Athol Public Library (APL) supports the President of the United States and congressional leaders in our nation's efforts to preserve and protect the many hard-fought freedoms we enjoy as Americans.

Public libraries are facing a dilemma of having the responsibility of protecting the privacy of our patrons while responding to legitimate national security concerns. The APL recognizes the confidentiality of information sought or received and materials consulted, borrowed or acquired by a library user.

The APL strives to create a library environment that is:

Crime free

A safe place

A place for learning and pursuit of knowledge and information on any topic

A place where patrons can ask any question and discuss any topic

The library will do its utmost to uphold the privacy and confidentiality of patrons' free access to information. The library will rely on existing laws and library policies to control behavior that involves public safety or criminal behavior.

About the USA Patriot Act of 2001

HR-3162 became Public Law 107-56 in response to the events of 9/11/01. The full title of the law is: *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001.*

The Act may provide law enforcement broader boundaries when investigating information accessed and transmitted by patrons with regards to national security concerns.

Access to patron information may include but not be limited to:

Database Search Records

Circulation Records

Computer Use Records

Inter-Library Loan Records

Reference Interviews

The APL Policy & Procedures Regarding Information Access and Confidentiality

Database Search Records: These records refer to the searches of the collection a patron may conduct on the Online Public Access Terminals (OPAC). These searches are conducted by utilizing the library's automated circulation system, Follett Software. Once a search is conducted, the software does not retain a copy of the search. Any records of the search will not exist.

Circulation Records: Patron material is circulated via the Follett system. The circulation software tracks materials currently checked out, automatically erasing a reader's borrowing record once a book is returned and all fines are paid.

Computer Use Records: The library system is equipped with Dell computers and computers supplied via a grant by the Bill and Melinda Gates Foundation. Patrons use their library card to check out computers while using them. The daily booking sheet is destroyed. When the patron logs off of a Gates computer, the software erases all history of their research and activity.

Inter-Library Loan Records: Patrons may borrow items not owned by the APL from other libraries worldwide via Inter-Library Loan (ILL). The APL tracks items currently being borrowed and generates a paper record with patron information. Once the materials are returned and all appropriate fines and/or fees are paid, the record is destroyed.

Reference Interviews: A reference interview occurs when a patron looking for information approaches a library staff member and the staff questions or interviews the patron in order to narrow down the specific information needed. No paper record is kept during the interview that has any patron information on it. If a patron name and number is taken by phone, and patron information is written down, as soon as the requested information is delivered, the paper record is destroyed.

The APL Policy & Procedures for Complying with Law Enforcement

The APL staff will comply with law enforcement when supplied with legal subpoena or warrant.

Staff Procedures:

If anyone approaches you alleging to be law enforcement official requesting information, **do not disclose to that individual any information.** Immediately contact a supervisor, Assistant Director, Director or the Town Manager.

The supervisor, Assistant Director, Director or the Town Manager will ask to see official identification and will photocopy the ID.

If the law enforcement official presents a subpoena, library staff should direct that person to a supervisor, Assistant Director, Director or the Town Manager; who will in turn direct the subpoena to legal council for a review of the document's legal sufficiency. Tell the law enforcement officer of this procedure.

If library staff is presented with a warrant, do not interfere with their search and seizure. Contact your supervisor, department head, assistant director or director as soon as possible.

Keep a record of all legal requests.

Keep a record of all cost incurred by any search and/or seizures.

If a "Gag Order" is not in effect, director will notify the American Library Association

Recap:

Requests for information or subpoenas – do not give out information until legal council has reviewed.

Search warrant – may be executed immediately by officer.

Emergency Disclosures of Communication

If in the normal course of business, the library staff observes what can be reasonably construed to be a threat of imminent danger to life and limb they are to contact law enforcement immediately. They should then contact their

supervisor, department head, assistant director or director and fill out an Incident Report form.

Approved by the Athol Public Library Board of Trustees on: 19 March 2003