

## **STAFF RESPONSE TO REQUESTS FOR PATRON INFORMATION (including law enforcement visits)**

MWCC Library adheres to the ALA (American Library Association) Code of Ethics, which includes the following statement: "We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted." MWCC Library also follows the Massachusetts General Law Chapter 78, section 7, which states "that part of the records of a public library which reveals the identity and intellectual pursuits of a person using such library shall not be a public record." MWCC Library staff must strive to protect the confidentiality of patron records. No staff member shall, at any time, disclose any personally identifiable patron or library user records including, but not limited to, circulation records, patron registration records, patron e-mail and computer records, interlibrary loan requests, or reference requests, to any person other than the patron themselves unless:

1. the patron has given informed consent (in writing) for another individual to obtain that information;
2. an authorized person (MWCC staff member) requires that information for retrieval of overdue library materials or compensation for damaged or lost library materials;
3. a law enforcement official makes the request. **SPECIFIC INSTRUCTIONS FOR RESPONDING TO A REQUEST FROM LAW ENFORCEMENT FOLLOWS.**

If an official from any law enforcement agency (local police, state police, FBI) makes a request for information regarding an MWCC library user, use the following guidelines:

1. If anyone approaches alleging to be a law enforcement official requesting information, do not disclose to that individual any information. Ask for identification, and immediately inform the Library Director or designee of the request.
2. If anyone alleging to be a law enforcement official presents a subpoena, contact the Library Director or designee. The Library Director or designee will then inform the MWCC Executive Vice President, who will contact legal counsel for Mt. Wachusett Community College.
3. If an FBI agent presents a warrant (state and local officials cannot administer search warrants under the PATRIOT Act), the staff member shall not interfere with their search or seizure, and will contact the Library Director or designee immediately, and the MWCC Executive Vice President shall be informed.

Libraries or librarians served with a search warrant issued under the Foreign Intelligence Security Act (FISA) may not disclose, under penalty of law, the existence of the warrant or the fact that records were produced as a result of the warrant. A patron may not be told that his or her records were given to the FBI, or that he or she is the subject of an FBI investigation.

Please refer any questions to the Library Director.