



BERWYN PUBLIC LIBRARY

Confidentiality of Library Records

The Berwyn Public Library is bound by the Illinois Records Confidentiality Act (75 ILCS 70/1-2). This act generally prohibits the library from making available to the public any registration, circulation, computer use, or database search record which is related to the named user. The library respects the rights of its users to confidentiality, and will only provide information upon request to the individual or the individual's legal guardian.

Anyone seeking information on an individual's registration, circulation, and computer use or database search record other than the individual or individual's legal guardian must obtain a court order. Upon receipt of the court order to reveal confidential information, the Executive Director may consult with legal counsel to confirm the request complies with the law.

75 ILCS 70/1-2 allows certain exceptions to the Library Records Confidentiality Act. Enforcement officers may request information in emergency situations regarding the identity of suspects, witnesses or victims where the officer believes there is imminent danger of physical harm provided:

1. A sworn law enforcement officer represents to the library it is impractical to get a court order as a result of an emergency; and
2. The officer has probable cause to believe there is imminent danger of physical harm; and
3. The information requested is limited to identifying a suspect, witness or victim of a crime; and
4. The information requested does not include records reflecting materials borrowed, resources reviewed, or services used at the library.

Under this exception, only information identifying a suspect, witness or victim of a crime may be disclosed to an officer without a court order; all other information remains confidential without a court order.

The Executive Director or Administrator in Charge may require the requesting officer to sign the *Officers Request for Confidential Library Information* form. Further, the library may ask a Court to review whether the officer's request complied with the law. Libraries are protected from patron claims that disclosure under the law constituted a breach of confidentiality. Finally, the right of a patron to challenge the disclosure remains.

This section does not prevent a library from publishing or making available to the public reasonable statistical reports regarding library registration and circulation where those reports are presented so that no individual is identified therein.

Nothing in the section shall be construed as a privacy violation or a breach of confidentiality if a library provides information to a law enforcement officer under the above noted exception.

OFFICER'S REQUEST FOR CONFIDENTIAL LIBRARY INFORMATION

1. This is a request under the Library Records Confidentiality Act, 75 ILCD 70/1 (copy attached) for information contained in the library's registration and/or circulation records.
2. My request for information is limited to identifying a suspect, witness or victim of a crime.
3. As the basis for the request, I represent the following:
 - a. I am a sworn law enforcement officer
 - b. 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 process.
4. The information I request relates to the following:

(Description of information sought)

Officer's Acknowledgment

I acknowledge receipt from the Library the information I requested

Officer's Signature

Officer's Agency/Department

Officer's Printed Name

Date and Time

Officer's Badge number

Name(s) of Staff assisting with this information request



