



## POLICY

SECTION: 4.4

SUBJECT: Accessing Customer Records

Library materials borrowed by a customer are recorded in the library's circulation system. A customer's circulation record is confidential in nature and shall not be made available to anyone other than the individual cardholder except as required by local, state, or federal law.

- The Virginia Freedom of Information Act protects public library circulation records from public access. Section 2.2-3705.7 of the Virginia Freedom of Information Act states: "The following records are excluded from the provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law: ... 3. Library records that can be used to identify both (i) any library patron who has borrowed materials from a library and (ii) the material such patron borrowed." Further information about the Virginia Freedom of Information Act is available at the official Virginia website at <http://www.virginia.gov> and an additional government information website [www.opengovva.org/](http://www.opengovva.org/)
- The USA PATRIOT Improvement and Reauthorization Act of 2005 may require the library to provide information about library circulation records. Further information about the USA PATRIOT Act is available at <http://www.fas.org/sgp/crs/intel/RL33332.pdf>

Staff is to refuse access to all circulation records except to:

- Library staff who are permitted access to circulation records in order to carryout their assigned duties.
- The individual cardholder, who may authorize the Library to release information to specified individuals or organizations. This authorization must be in writing.

Library staff must take appropriate precautions to protect customer confidentiality. Customer records should never be downloaded to portable electronic files (flash drive or similar). Paper copies of files with identifying information must be shredded for disposal.

Should anyone other than library staff make inquiry into circulation records or any individual's use of the Library, the Library Director is to be advised immediately. The Library Director will consult with the City Attorney for appropriate release of requested records. Generally a properly executed search warrant or subpoena will be required for release of any records related to a library customer or their use of library materials.

The Library does not sell, lease, or otherwise distribute any cardholder information for any purpose. Individual cardholders may manage their own library accounts and track their own materials by establishing a PIN number with their library card. This information is available to the individual cardholder by logging in to the library's online catalog using their card number and PIN.

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