

East Brookfield Public Library

Confidentiality of Library Records Policy

In accordance with Mass. General Laws Chapter 4 Section 26 and Chapter 78 Section 7, circulation and registration records identifying the names of library users, addresses, and telephone numbers and the materials borrowed are not part of the public record. The intellectual pursuits of individuals using library materials is considered confidential information regardless of the age of the borrower.

Such records shall not be made available to any individual, or agency except pursuant to such process, order, or subpoena as may be authorized under the authority of, and pursuant to, federal, state, or local law relating to civil, criminal, or administrative discovery procedures or legislative investigative power.

Upon receipt of such process, order, or subpoena, the Director will notify the Board of Trustees and consult with the Town Counsel to determine if such process, order, or subpoena is in proper form and if there is a showing of good cause for its issuance. If the process, order, or subpoena is not in proper form or if good cause has not been shown, such defects must be corrected.

Library staff should refer all requests for circulation or registration records to the Director.

Under Massachusetts law, Chapter 78,
§ 7. Cities and Towns May Establish Public Libraries
The city council of a city or the selectmen of a town may place in such library the books, reports and laws which may be received from the commonwealth. 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 as defined by clause Twenty-sixth of section seven of chapter four.

Library authorities may disclose or exchange information relating to library users for the purposes of inter-library cooperation and coordination, including but not limited to, the purposes of facilitating the sharing of resources among library jurisdictions as authorized by clause (1) of section nineteen E or enforcing the provisions of sections ninety-nine and one hundred of chapter two hundred and sixty-six.

Library records shall not be made available to any agency of federal, state, or local government, or to any spouse or other individual, except as pursuant to the following:

1. For the records of minor children when requested by parents, guardians, or custodians
2. In accordance with a subpoena, search warrant, or other court order, or to a law enforcement officer who is investigating a matter involving public safety in exigent circumstances (see above)
3. At the request or written consent of the individual who is the subject of the record or information
4. For library administrative purposes. Patron record information is available to the Board of Trustees members and employees of the library for use in the ordinary conduct of library business. Information may be shared with individuals and corporations outside the library, such as automation vendors in the normal course of database creation and management or agencies utilized in the collection of overdue materials and outstanding fees. The library does not provide patron information for commercial uses.

Adopted by the Trustees of East Brookfield Public Library

Revised: 5/2015

Date: 2/12/2007