

ROSEVILLE PUBLIC LIBRARY Privacy Policy

It is the policy of the Roseville Public Library to preserve the confidentiality of the library records of its patrons to the fullest extent permitted by law. To that end, library records shall be released or disclosed only as provided herein.

All customer registration information shall be treated by the staff of the Library as confidential, including name, address, phone number, and any other information provided on the customer's registration form. The Library may use registration information to distribute library-related information to registered borrowers. This policy also prohibits disclosure of whether or not a person has a library card.

Records Protected by the Michigan Library Privacy Act

The Michigan Library Privacy Act provides that library records may not be disclosed to third parties unless the library has received written permission of the patron or a properly obtained court order (MCL 397.603). A "library record" is defined in the statute as "a document, record, or other method of storing information retained by a library that personally identifies a library patron, including the patron's name, address or telephone number, or that identifies a person as having requested or obtained specific materials from a library. Library record does not include non-identifying material that may be retained for the purpose of evaluating the circulation of library materials in general."

Notification of the Library Director

Any employee of the Roseville Public Library who receives a request, or who is served with a subpoena, court order, or other legal process by a local, state or federal law enforcement agent, to release or disclose any library records, shall promptly notify the Library Director.

Action by the Library Director

The Library Director, in a timely manner, shall review all requests and orders, consult with the City of Roseville's attorney as necessary, and respond in an appropriate manner to each request and/or order in accordance with this policy.

Requests for Library Records

The Library Director shall deny, in writing, all requests, including Freedom of Information requests, for the release or disclosure of library records as defined under the Michigan Library Privacy Act, unless the Library Director has received the named patron's written consent for such release or disclosure. In no event shall a release executed by a minor or his or her parent or guardian be sufficient for release of said records.

Court Order for Release of Library Records

If a state or local enforcement officer produces a court order requiring disclosure (Michigan Library Privacy Act request), the staff person should immediately contact the Library Director. The Library Director will alert the City Manager and may choose to consult with the City of Roseville Attorney.

The Library Director shall comply fully with a court order to release or disclose library records if that court order was properly obtained under Section 3(2) of the Library Privacy Act (MCL 397.603).

USA Patriot Act

When a law enforcement officer presents a subpoena or search warrant to library personnel, the following responses shall be followed:

- a) The staff person should inform the agent that the staff person has no authority to release tangible records to agents.
- b) Staff that are approached by an agent should immediately contact the director of the library to alert them and refer the officer to the director's office.
- c) If the director is not available, the staff member shall comply with all search warrant requests. If a subpoena is presented, the staff member shall inform the officer that the request will be reviewed by the City Attorney to assure the document's legal sufficiency. The subpoena should then be immediately forwarded to the City Attorney for review.
- d) If a request is made without a subpoena or search warrant, do not provide any information and report the matter immediately to the director of the library or his/her designee.
- e) Do not discuss the subpoena or court order with anyone other than the director of the library, his/her designee, or the City Attorney. Do not discuss the subpoena or court order, its contents, named persons, or other information provided with anyone other than the director of the library, his/her designee, or the City Attorney.