



# Keizer Community Library

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## Privacy and Confidentiality of Library Records

- I. The First Amendment of the United States Constitution guarantees freedom of speech with the corresponding right to hear what is spoken and read what is written. Confidentiality of patron records is the primary means of providing First Amendment protections.
- II. With the adoption of this policy, the Keizer Community Library also adopts the [ALA Policy on Confidentiality of Library Records](#) and [ALA Code of Ethics](#).
- III. The Keizer Community Library is subject to Oregon Public Records Law. In keeping with the 1st Amendment, Oregon Public Records Law requires libraries to exempt certain records from general Public Records Requests.

ORS 192.355. The following public records are exempt from disclosure under ORS 192.311 to 192.478:

*(23) The records of a library, including:*

*(a) Circulation records, showing use of specific library material by a named person;*

*(b) The name of a library patron together with the address or telephone number of the patron; and*

*(c) The electronic mail address of a patron.*

- IV. In accordance with this law, library records that will be broadly interpreted as exempt from disclosure include:
  - Any records showing the use of specific library materials or resources, analog or electronic, consulted, borrowed, acquired, or transmitted, by a named person; or
  - Any records showing the name of a patron together with the person's address, email address, telephone number, or other personally-identifiable information.

The library will protect every patron's library records as follows:

- a. Under a court order, the library may be required to disclose borrower records to law enforcement agencies. Depending on the court order, the library may or

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may not be allowed to disclose to the patron or anyone else, excepting legal counsel, that the records were released.

- b. To ensure the protection of patron records, when a court order requesting library records is received, the Library Board will first consult legal counsel to verify that the subpoena, warrant, court order, or other investigatory document is issued by a court of competent jurisdiction, showing good cause and in proper form. Only the Library Board may authorize release of patron records. Likewise, requests or court orders to install surveillance technology on library computers or other surveillance must be referred to the Library Board. All such requests must be made through the President of the Library Board.
- c. Library staff cannot inform the person about whom the information is requested, or speak to coworkers, the media or other government officials about the inquiry. Staff members are trained to refer any law enforcement record inquiries to the President of the Library Board.
- d. To further protect patron privacy the library shall purge or shred, per [Oregon State Archives](#), the following type of records:
  - Records showing information on use of computer networks or electronic resources that can be specifically identified with a particular user or device.
  - Records linking a specific library material used or accessed with a name, address, email, telephone number, or other personally-identifiable information
- e. The Library has the right to use library records only for administrative purposes, such as recovering overdue materials, payment for lost items, customer surveys, or other administrative actions and communications.
- f. In all contracts with third-party agents, the library will protect patron privacy to the greatest extent reasonable under the circumstances.
- g. We respect the privacy and confidentiality of all library users, no matter their age. Parents or guardians of a child under age 18 who wish to obtain access to their child's library records must provide the child's library card or card number.

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- V. Nothing in this policy prevents the library from exercising its right to enforce its Patron Behavior Policy, protect its facilities, network, and equipment from harm, or prevent the use of library facilities and equipment for illegal purposes.

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