



CONFIDENTIALITY OF LIBRARY RECORDS

This policy is a system-wide policy for application to all libraries within the Buffalo & Erie County Public Library System.

1. The Buffalo & Erie County Public Library is committed to user privacy and confidentiality. The Library observes the terms of the Code of Ethics of the American Library Association, which provides in part that “We protect each library’s user’s right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted.”
2. In New York State, the confidentiality of library records is governed by Sections 2307 and 4509 of the New York State Civil Practice Law and Rules (CPLR). Section 2307 requires that a subpoena served on a library must be issued by a Justice of the Supreme Court in the library’s district, and Section 4509 provides as follows:

Library records, which contain names or other personally identifying details regarding the users of public, free association, school, college and university libraries and library systems of this state, including but not limited to records related to the circulation of library materials, computer database searches, interlibrary loan transactions, reference queries, requests or photocopies of library materials, title reserve requests, or the use of audio-visual materials, films or records, shall be confidential and shall not be disclosed except that such records may be disclosed to the extent necessary for the proper operation of such library and shall be disclosed upon request or consent of the user or pursuant to subpoena, court order or where otherwise required by statute.

3. Pursuant to these CPLR Sections, library records will not be released except pursuant to a proper judicial subpoena or court order which specifically identifies the information requested and the purpose for the request, or where otherwise required by law.
4. This confidentiality policy extends to information sought or received, and materials consulted, borrowed, acquired or transmitted, and includes database search records, circulation records, interlibrary loan records, video footage and other personally identifiable uses of library materials, facilities or services.

5. Throughout the year, the Library may issue surveys or conduct educational, fundraising and marketing campaigns to inform the community of library services, programs and events. At those times, the Library may use patron email or postal addresses from the Library's internal mailing lists. The Library does not sell, lease or disclose the patron name, email, address, postal address, telephone number or other personal information for the benefit of outside parties.

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Amended June 17, 2010 per Res. 2010-24.

Amended September 19, 2013 per Res. 2013-32.

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