



## Confidentiality of Library Records Policy

1. The New Hartford Public Library (Library) hereby states its circulation records and other records identifying the names of Library users are confidential in nature.
2. Such records shall not be made available to any agency of state, federal, or local government 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 power. As follows:

### **CONFIDENTIALITY LAW**

**S 4509. Library (circulation) records:** (Records related to the circulation of library materials) 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 for photo-copies 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. The Library's responsible officers will resist the issuance or enforcement of any such process, order, or subpoena until such time as a proper showing of good cause has been made in a court of competent jurisdiction. This means that upon receipt of such process, order or subpoena, the Library's officers will consult with their legal 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, they will insist that such defects be cured.

Adopted: October 14, 1987

Revised: March 15, 2006 – Confidentiality law added

Revised: October 21, 2015