



CONFIDENTIALITY OF RECORDS POLICY

Approved by the Vista Grande Public Library Board of Directors – 19-Sep-2008

The Vista Grande Public Library enforces the laws of the State of New Mexico and the American Library Association's "Confidentiality of Library Records" policy. The circulation records and other records identifying the names of library users are confidential. Circulation records will 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 investigative power.

The Vista Grande Public Library's designated officers and Board of Directors will:

1. Formally adopt a policy that specifically recognizes its circulation records and records identifying names of library users to be confidential.
2. Advise all librarians and library employees that 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 investigative power.
3. Resist the issuance of 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.*

*Note: Point 3, above means that upon receipt of such process, order, or subpoena, the Vista Grande Public Library 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 a good cause has not been shown, they will insist that such defects be cured.

Above policy based on recommendations adopted by the American Library Association (ALA) January 20, 1971, by the ALA Council; amended July 4, 1975; July 2, 1986.

See following documents published by the ALA:

- Confidentiality and Coping with Law Enforcement Inquiries: Guidelines for the Library and its Staff, ALA Office for Intellectual Freedom, April 2005
- FBI in Your Library, Libraries and National Security: An Historical Review, December 20, 2004
- Guidelines for the Development and Implementation of Policies, Regulations, and Procedures Affecting Access to Library Materials, Services and Facilities, Adopted by the ALA Intellectual Freedom Committee June 28, 1994; revised January 19, 2005
- Privacy: An Interpretation of the Library Bill of Rights, Adopted June 19 by the ALA Council
- Code of Ethics of the American Library Association, Adopted June 28, 1997; Amended January 22, 2008
- Access to Electronic Information, Services, and Networks, Adopted January 24, 1996 by the ALA Council; amended January 19, 2005.