



SANTA BARBARA PUBLIC LIBRARY SYSTEM Patron Privacy FAQ

What is privacy and why is privacy important? Privacy is about people. The right to privacy is the right to open inquiry without having the subject of one's interests examined or scrutinized by others. With privacy, individuals maintain their autonomy and individuality. Privacy is essential to the exercise of free speech, free thought and free association.

What is confidentiality? According to California State Law (Government code section 6267) a library is obliged to assure confidentiality of records relating to registration and circulation. Although we often refer to this as "patron privacy", the scope is limited to records kept by the library and not to larger issues of personal privacy. Registration records are the patron library card records. Circulation records are the lists of library materials checked out on a patron's library card. Confidentiality is about data. Confidentiality relates to the possession of personally identifiable information, including such library-created records as circulation records, computer sign-up sheets, meeting room reservations, web sites visited, or hold notices.

What is circulation information? Any library information that is purposefully or inadvertently collected or maintained remains confidential to the fullest extent permitted by federal, state and local law, including the California Public Records Act and the USA PATRIOT Act. Typically, circulation information is materials checked out, fees owed, and hold requests pending or on hold.

How can an adult get access to their circulation information? To receive circulation information an adult must verify their identity in person with their library card or a valid picture ID before any information (verbal or paper) can be given out.

Why can't I get a printout of my record without my library card or ID? In accordance with California State Law (Government Code Section 6267) the Library does not disclose circulation or registration records to anyone other than the individual to whom the records pertain, except under the code's stated conditions. It is the responsibility of all library employees to keep your library record confidential and to protect your record from unauthorized access. To accomplish this we must verify your identity with your library card or a valid picture ID before any information (verbal or paper) can be given out.

What if I want to know what is/was checked out on my child's library card? If you originally authorized the child to obtain their library card, or you present the child's card, or if you are accompanying the child at the time of request, **and the child is 12 years old or younger**, you may be told account details. **If the child is 13 years or older**, you are not allowed to know any account information without the consent of the child.

How do library staff know who is the parent or legal guardian who originally authorized the card? Anyone claiming to be the child's listed parent or guardian will show valid picture ID to confirm their identity.

May anyone with the child's card be told account information? Yes, regardless of whether or not the child is present.

What are the identification requirements for patrons 13-17 years of age? There are none. However, if an applicant has identification, that information will be entered into the registration record.

What about accessing accounts over the telephone? No circulation records may be accessed over the telephone without the caller providing the library account number.

Law Enforcement Access Library records will not be made available to any agency of the 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 investigatory power. The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT ACT): Sections 214-216 of this Act gives law enforcement agencies expanded authority to obtain library records, secretly monitor electronic communications and prohibits libraries and librarians from informing library users of monitoring or information requests.

Will library staff give law enforcement patron account information upon request? No. Police, and all law enforcement, must have a subpoena to have access to library account information. This includes identifying anyone using a library internet computer.

Additional Resources

American Library Association; <http://ALA.org> (Privacy and Surveillance)

California Public Records Act; <http://www.leginfo.ca.gov> (from the Ca. Government Code sections 6250-6270)