

JEMEZ SPRINGS PUBLIC LIBRARY

CONFIDENTIALITY POLICY

Adopted by Library Board--12/2/04

Reviewed/Revised/Approved by Library Board 01/14/2020

POLICY

The Jemez Springs Public Library specifically recognizes that library patron records and patron information are confidential. Per the New Mexico Library Privacy Act (18-9-1 to 18-9-6 NMSA 1987), privacy for the users of public libraries of the state with respect to the library materials they wish to use preserves intellectual freedom guaranteed under the New Mexico constitution.

According to the statute, "patron record" means "any document, record or other method of storing information retained by a library that identifies, or when combined with other available information, identifies a person as a patron of the library or that indicates use or request of materials from the library." Consequently, confidentiality is considered to extend not only to materials consulted, borrowed, or acquired, but also to a patron's identity as a library user, as well as information sought or received, database search records, reference interviews, interlibrary loan records, Internet use records, or other personally identifiable uses of library materials, facilities or services. Consequently, this information shall not be made available except as noted below.

The staff of the Jemez Springs Public Library will respond to formal, legitimate requests by federal and state authorities for business records or tangible things made by federal authorities pursuant to the Foreign Intelligence Surveillance Act, 50 U.S.C. Sec. 1861 by utilizing documented procedures unless and until such Act or portions thereof are declared by a court of competent jurisdiction or other legitimate authority to be unconstitutional or otherwise illegal. The staff of the Jemez Springs Public Library, in conformity with professional ethics, First Amendment freedoms, and 18-9-1 NMSA 1978, "The Library Privacy Act," will not respond to informal requests for confidential information.

The Library Director is the legal custodian of the records of the Jemez Springs Public Library and is the employee authorized to receive court orders on behalf of the Jemez Springs Public Library.