

# RESPONDING TO LAW ENFORCEMENT IN THE LIBRARY

NOTE: This is not meant to convey legal advice.

Imagine a police/parole officer, federal/state agent, or other law enforcement has entered your library and requested patron data.

What should you expect? How can you respond? How can state laws and library policy support you in this interaction?

## KNOW YOUR STATE LIBRARY LAWS

Some states have additional laws that can support you, for example:

- Illinois' Biometric Privacy Act
- California Consumer Privacy Act
- New York SHIELD Act

## REMEMBER

**Your job** is to keep patron information confidential.

**Their job** is to prove that accessing this information is necessary

Patron privacy is an integral part of library privacy laws, as well as the codes that govern library services. US state library privacy laws usually cover:

- Any record that is used to ID the library patron—including name, address, telephone number, or email address
- Any transaction that can identify a patron's borrowing information or use of library information resources—often this includes e-books and e-readers

## WHAT IS A WARRANT?

A written court order—issued by a court and signed by a state or federal judge—authorizing a law enforcement officer to make an arrest, a seizure, or a search of some private area.

An arrest warrant that does not have a name

on it may still be validly used for an arrest if it describes an individual with enough detail to identify them, and a search warrant that does not have a name on it may still be valid if it gives the correct address and description of the place the officers will be searching.

A warrant must contain:

- Judge's name
- Name/address of person
- Address of place
- Items being searched for
- Agency conducting search/arrest

## WHAT SHOULD I DO IF AN OFFICER COMES TO MY LIBRARY?

Ask them if they have a warrant.

**If NO:** you do not need to answer any questions about patrons.

**If YES:** ask to see the warrant.

**If it does not contain the required information,** say you do not consent to the search, but do not interfere if they search anyway.

**If you are allowed to watch** the search, you should.

**Take notes and call your library's lawyer as soon as possible.**



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