

# Sticky Situations

## Patron Privacy and Customer Service

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**COLORADO**

**Department of Education**

Colorado State Library

“Privacy is essential to the exercise of free speech, free thought, and free association.”

-Privacy Tool Kit

# What is Privacy? ALA

We protect each library user's right to privacy and confidentiality with respect to information sought or Received and resources consulted, borrowed, acquired or transmitted.

- ALA Code of Ethics Article III

# What is Privacy?

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

First Amendment of the U.S. Constitution passed by Congress September 25, 1789. Ratified December 15, 1791.

# What is Confidentiality?

Confidentiality exists when a library is in possession of personal information about users and keeps that information private on their behalf.

-ALA Privacy Toolkit

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**What are some  
examples of  
information  
we need to  
keep  
confidential?**



# Colorado Library Law

<b>Privacy of User Records CRS 24-90-119</b>	<b>Rough, non-legal summary of statute: Privacy of user records.*</b>
<p>(1) Except as set forth in subsection (2) of this section, a publicly supported library shall not disclose any record or other information that identifies a person as having requested or obtained specific materials or service or as otherwise having used the library.</p> <p>(2) Records may be disclosed in the following instances:</p> <ul style="list-style-type: none"><li>(a) When necessary for the reasonable operation of the library;</li><li>(b) Upon written consent of the user;</li><li>(c) Pursuant to subpoena, upon court order, or where otherwise required by law;</li><li>(d) To a custodial parent or legal guardian who has access to a minor's library card or its authorization number for the purpose of accessing by electronic means library records of the minor.</li></ul> <p>(3) Any library official, employee, or volunteer who discloses information in violation of this section commits a class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars.</p>	<ul style="list-style-type: none"><li>▪ A public library may not disclose patron records or information about library use unless:<ul style="list-style-type: none"><li>- needed for library operations;</li><li>- the user consents;</li><li>- required through subpoena or court order;</li><li>- a custodial parent/guardian has access to a minor's library card or authorization number.</li></ul></li> <li>▪ Disclosure by a library official, employee or volunteer commits a class 2 petty offense, with up to \$300 fine if convicted.</li></ul>

\* Consult with your respective city, county, or district lawyers for legal advice on, and implications of, Colorado Library Law, or call the Colorado State Library for additional information.

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**When are we allowed  
to share confidential  
information?**

**When are we *NOT*  
allowed?**

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# Colorado Public Library Standards

## STANDARDS

There are eleven standards to guide you in planning and operating your library. The introduction will assist you in understanding the full intent and purpose of the Colorado Public Library Standards.



INTRODUCTION



DEFINING A PUBLIC LIBRARY



COLLECTIONS



COMMUNITY ENGAGEMENT



FACILITIES



FINANCE



GOVERNANCE



HUMAN RESOURCES



MARKETING AND ADVOCACY



PLANNING



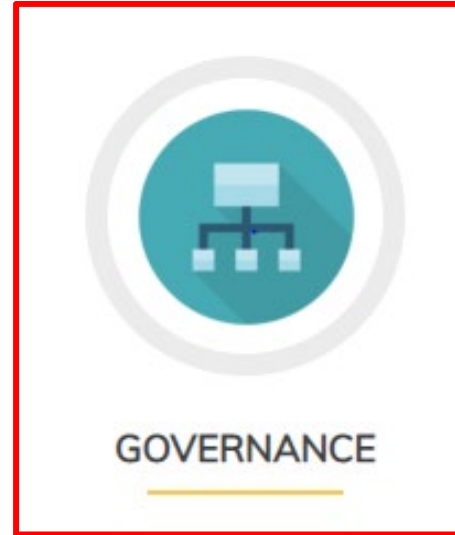
RESOURCE SHARING



SERVICES AND PROGRAMMING



TECHNOLOGY



## Patron Privacy and Confidentiality

The Bemis Public Library supports and upholds a library patron's right to privacy in accordance with Colorado State Law.

### Privacy of User Records, CRS 24-90-119

1. Except as set forth in subsection (2) of this section, a publicly-supported library or library system shall not disclose any record or other information which identifies a person as having requested or obtained specific materials or service or as otherwise having used the library.
2. Records may be disclosed in the following instances:
  1. When necessary for the reasonable operation of the library;
  2. Upon written request of the user;
  3. Pursuant to subpoena, upon court order, or where otherwise required by law;
  4. To a custodial parent or legal guardian who has access to a minor's library card or its authorization number for the purpose of accessing by electronic means library records of the minor.
3. Any library or library system official, employee, or volunteer who discloses information in violation of this section commits a class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars (\$300).

Bemis Public Library will not disclose the use of library materials, services, facilities, or staff assistance unless disclosure is necessary for the reasonable operations of the library or is otherwise required by law.

Bemis Public Library will take all necessary precautions to ensure the confidentiality of patron library records by securing and limiting access to those records by authorized staff members only.

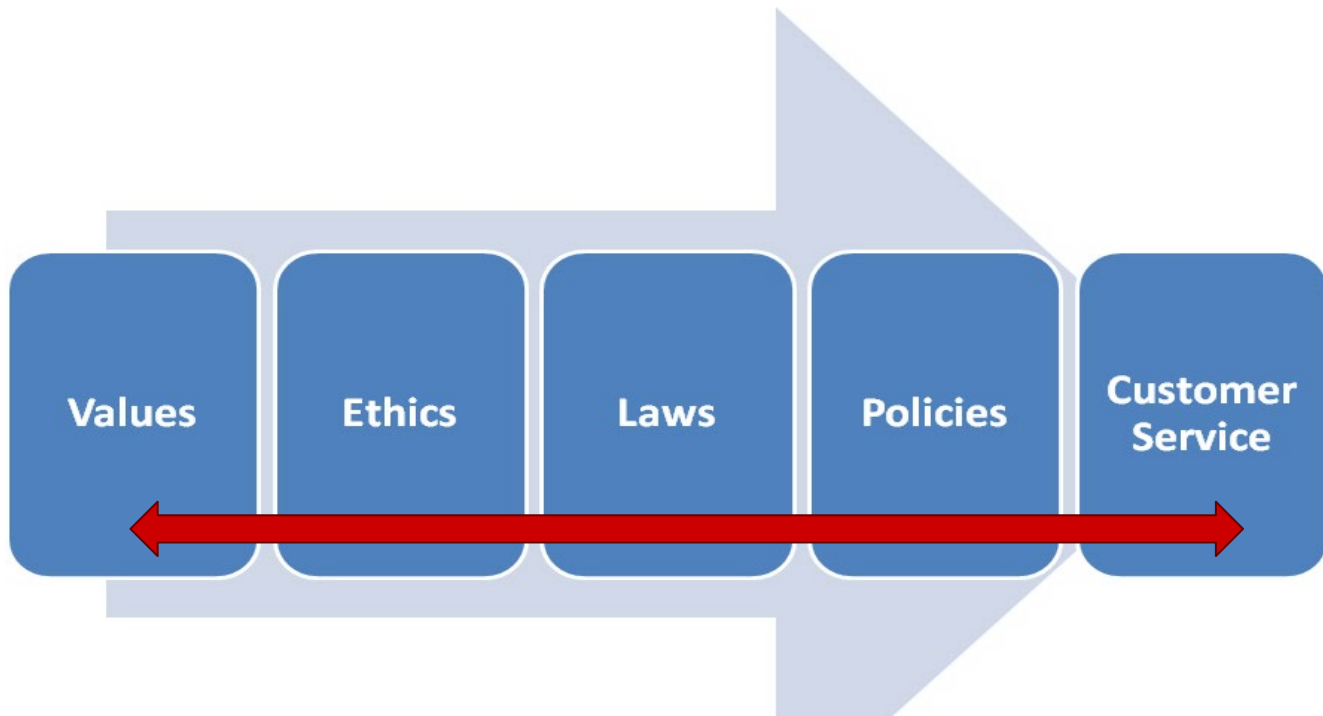
Bemis Public Library will only collect and store personally identifiable information when needed for business purposes.

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**Once  
Upon a  
Time...**

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“Change is constant, but these principles transcend change and endure in a dynamic technological, social, and political environment.”

-Libraries: An American Value

# Scenarios



# Scenario 1

In between helping patrons on the floor, you overhear two staff members talking about a patron near the circulation desk. “He is a bit creepy! I bet he lives alone. He is just so awkward!” The other staff member responds by laughing, “I know, I helped him check out some items last week, and he was checking out books on dating and how to find your soulmate!”

**What makes this situation sticky? Where is the tension?**

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**What should you do? What should you say?**

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**The staff are talking near the self-checkout machines.**



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**A mother complains that her child saw this patron looking at pornography on the computer.**

## Scenario 2

A patron wants to know what is checked out on his wife's card so that he can return the items while she is out of town.

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**The next time the patron comes in, he is asking to see what his 16-year-old daughter has checked out. When you check the daughter's account, you see that she checked out a book about teenage pregnancy.**

## Scenario 2

A patron wants to know what is checked out on his wife's card so that he can return the items while she is out of town.

**One of the books on the child's record is about dealing with a family member who is an alcoholic.**

# Scenario 3

A frantic mom calls looking for her 11-year-old son, who did not show up after school. He loves the library, and she is wondering if you can page him, or look for him.

**What makes this situation sticky? Where is the tension?**

# Scenario 3

A frantic mom calls looking for her 11-year-old son, who did not show up after school. He loves the library, and she is wondering if you can page him, or look for him.

**What should you do? What should you say?**

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**The son is a regular at the library, and he recently confided to you that there has been trouble at home.**



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**You haven't seen the son in over a week, which is unusual.**

“Freedom is found through the portals of our nation’s libraries.”

- David McCullough