

PURPOSE:

The USA Patriot Act was written in response to the terrorist actions of September 11, 2001. It expands law enforcement's surveillance and investigative powers, and was signed into law on October 26, 2001. The CPL supports the Nation's efforts to preserve and protect the many hard-fought freedoms Americans enjoy. The CPL also subscribes to the values detailed in the American Library Association's Right to Privacy affirmations.

POLICY:

It is the policy of the CPL to comply with all Constitutional judicial processes while preserving patron confidentiality to the extent allowed by law. The Library intends to comply with court ordered subpoenas and warrants expeditiously, yet, at the same time, the CPL is charged to protect the privacy of its patrons as stipulated in Virginia's confidentiality laws.

Chesapeake Public Library will not disclose to any individual, corporation, institution, government agent or agency confidential records without proper judicial process, defined as court ordered subpoenas and warrants. Confidentiality extends to "information sought or received, materials consulted, borrowed or acquired, and includes database search records, reference interviews, interlibrary loan records and all other personally identifiable uses of Library materials, facilities or services".

The CPL will seek legal advice on all court orders, and will ask that counsel be present before any search begins. It will follow subpoenas and warrants strictly to ensure that only the information requested is given. The CPL will also comply with all FISA court orders.

The Chesapeake Library Director and Assistant Director are the only Library staff authorized to work with law enforcement, legal services or any other government organization requesting patron information. Parties requesting protected information need to contact Library Administration.

REFERENCES:

USA PATRIOT Act

United States Code

Foreign Intelligence Surveillance Act, 50 U.S.C. 1801-1862

Virginia Code- Confidentiality Law

Virginia Freedom of Information Act, 2.2-3705