



CONFIDENTIALITY OF LIBRARY VISITORS

The Hewitt Public Library protects the confidentiality of visitor information as part of its commitment to intellectual freedom. Confidentiality and privacy are essential to free speech, free thought, and free association. The guarantee of privacy for readers, hearers, and viewers will ensure this freedom. Library visitors will be free to use the library and its materials and services without government, community, or individual interference.

This Library policy is pursuant to Texas Public Information Act, Local Government Code Chapter 552.124 – EXCEPTION – CONFIDENTIALITY OF RECORDS OF LIBRARY OR LIBRARY SYSTEM relating to making confidential a record that would identify a person who uses library services or materials. (See the Complete Texas Open Records Act)

Borrower Records

Confidentiality extends to all records with identifying information about cardholders, including their requests for information and materials and their loan transactions. It also includes their use of Library computers and the online sites and resources they access. The Library will keep patron information confidential and will not disclose this information except as necessary for the proper operation of the Library, upon consent of the patron, pursuant to subpoena or court order, or as otherwise required by law.

How each individual chooses to use and share their Library card will determine the degree of privacy that the library can provide for that borrower's record. To support this choice, the Library will provide access to information associated with a valid Library card under the following circumstances:

- Presentation of a borrower's card, provision of the card number on the library website or over the phone, or presentation of the card number on an official library notice permits access to information about that record.
- Presentation of the identification necessary to obtain a library card will permit full access to the record of the person named on that identification only.

The Library protects the right of privacy of the individual by forming a partnership with the individual or family and allowing the individual or family to choose who has access to the Library card of any one individual. This approach to privacy enables parents to adjust their awareness of their children's borrowing patterns to a degree that satisfies that family's system of values. It creates a partnership for privacy and assumes that individuals will protect themselves to the degree they choose. Private information may be released to the parent or legal guardian of an unemancipated minor age 17 or under, provided the parent or legal guardian can provide the child's library card or card number.



Library staff may withhold information if they feel that disclosure would threaten a cardholder's physical or emotional wellbeing. In this case, the Library Director may be asked to intervene and make the final decision.

Borrower Fees & Overdue Materials

Protection of the privacy of a borrower's record may be compromised by the individual who chooses to keep materials past their due date. In an effort to settle outstanding fees or retrieve missing items, the Library will permit individuals other than the holder of the borrower's card to settle unpaid fees on that card. The Library will work to provide as little identifying information as possible; however, the recovery of overdue materials often requires the provision of the description of those materials.

Insofar as it is possible, the Library will confine information about subjects, authors, or titles loaned to persons who have reasonable chance of locating and returning the Library's materials. All borrowers are cautioned that they can best protect their privacy by returning materials on time.

Minimum Records Kept

HPL keeps the minimum number of records necessary for maintaining operations. When a visitor logs off a Library computer, information about that visitor's session is automatically deleted.

Compliance with Federal Law

HPL is required by federal law to comply with the USA PATRIOT ACT, which relaxed the requirements for obtaining court orders and search warrants in investigations concerning national security and terrorism. The Act also expanded the range of records that can be searched in these investigations to include business records such as those of libraries and bookstores. Furthermore, if such a search is conducted, Library staff cannot notify the cardholder of record requests given to law enforcement or that the cardholder was the subject of an investigation.

This Act supersedes all state and local confidentiality and privacy laws. Nothing in this policy shall prevent authorized Library personnel from using Library records in the administration of their regular duties.

Third Party Partners

The Library works with third party partners to provide certain services to Library patrons. Information a patron submits to the Library may be provided to these third parties so they



can assist the Library in providing certain services. Patrons are encouraged to read and become familiar with the privacy policies of these third party partners.

External Websites

The Library website also contains links to external websites not maintained by the Library. The Library cannot be responsible for patron privacy when visiting other websites. Once patrons link to another website, they are no longer subject to the Library's Confidentiality of Patron Information policy, but the privacy policy or statement, if any, of the website they have linked to.

Video Surveillance

Hewitt Public Library and the City of Hewitt makes use of video surveillance solely for the purpose of preventing theft, ensuring the safety of visitors and staff, and identifying individuals who behave in a disruptive manner, cause damage to City property, or are otherwise in violation of the Code of Conduct.

While HPL recognizes that video surveillance will not prevent all incidents, its potential deterrent effect and resource as a means of identifying and prosecuting offenders is considered worthwhile.

Reasonable efforts are made to safeguard the privacy of visitors and employees. Video cameras shall not be positioned in areas where there is a reasonable expectation of personal privacy, such as restrooms and the employee breakroom.

Only the Library Director, the City Manager, and authorized designees may operate the video security system. Authorized users shall only access video surveillance records during the course of regular work duties or upon the implementation of proper legal action.

Applicability

This policy applies to all Library patrons. The parents or legal guardians of patrons under the age of 18 may have access to their child's borrowing record. Otherwise, this policy fully applies to minor patrons.

Endorsed by the Library Advisory Board on January 29, 2024