

Privacy & Confidentiality of Patrons Policy

Reviewed and Adopted by: Meeker Regional Library District Board of Trustees

Date of Origin:

Revision:

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The Meeker Regional Library District (“District”) protects the privacy of library records and the confidentiality of patron use of the Meeker Public Library (the “Library”) as required by relevant laws. The Library is committed to the protection of personal privacy by keeping information confidential that identifies Library users and their use of Library books, materials, facilities, services, and assistance from staff. This confidentiality extends to information sought or received, including Library materials consulted or borrowed, database search records, reference interviews, circulation records, registration records and all other personally identifiable uses of Library materials, facilities, or services.

The Library follows Colorado Laws C.R.S. 24-90-119: Privacy of User Records and C.R.S. 24-73-101, *et seq.*: Consumer Data Privacy which require all public libraries in Colorado to guarantee the privacy of customer records and personal information.

Library Records

All Library patron records are confidential. Pursuant to C.R.S. 24-90-119, Library records may only be disclosed to:

- Library staff performing job duties.
- The account owner.
- Law enforcement with a court order or subpoena.
- A parent who can supply their minor child’s library card or library card number.

The Library does not keep a record of your borrowing history. Once you return an item it is removed from your account. However, record of charges for late fines or lost/damaged items and the associated title of the item(s) are kept on the patron account until the bill is reconciled.

Pursuant to C.R.S. 24-90-119, along with Library records, staff will not disclose the patron’s use of Library content, materials, equipment, programs, facilities, and staff assistance unless disclosure is necessary for the reasonable operations of the Library or is otherwise required by law.

Surveillance Cameras

The Library maintains surveillance cameras on District premises. Surveillance footage may only be released or viewed by individuals outside of Library staff when required by a court order or subpoena.

Electronic Resources

The Library offers access to several third-party electronic resources such as research information databases and streaming and downloadable books, music, movies, and more. Patrons must understand that when accessing remote or third-party vendor sites, there are limits to the privacy protection the Library can provide. The Library encourages patrons to review the privacy policies of all third-party providers.

Internet Use

This Policy does not apply to external applications or websites that patrons may access from the Library's public computers, devices, or wireless network. Patrons should be aware that the Library has limited ability to protect the privacy of this information outside of its control. Patrons are cautioned that any electronic communication utilizing the internet or a wireless network may be intercepted.

Illegal Activity Prohibited and Not Protected

If the behavior or actions of an individual or group violates any Library policy, staff are authorized to take immediate action to protect the security of patrons, staff, facilities, computers, and the network. This includes contacting law enforcement authorities and providing information that may identify the individual(s) suspected of a violation.

Data and Access

In accordance with C.R.S. 24-74.1-101, *et seq.*, the Library shall not collect the following, except as required by applicable federal or state law, as necessary to perform duties, or to verify a person's eligibility for a government-funded program if verification is a necessary condition of government funding or participation:

- Place of birth;
- Immigration or citizenship status; or
- Information from passports, permanent resident cards, alien registration cards, or employment authorization documents.

It is not a violation of Section 1 above (C.R.S. 24-74.1-102(1)) for the Library to release a record pursuant to:

- A subpoena issued by a federal judge or federal magistrate;
- An order issued by a federal judge or federal magistrate;
- A warrant issued by a federal judge or federal magistrate;
- The consent of the Library patron through a valid release of information; or
- The consent of the Library patron's parent or guardian through a valid release of information.

The following procedures are adopted by the Library in conformance with C.R.S. 24-74.1-102(3)(a):

1. Procedures to provide, as required by applicable state or federal law, any personal identifying information about a patron who accessed or is accessing services, or was or is present, at the Library:
 - a. If the patron, or the patron's parent or guardian, has provided a valid release of information to the Library, then the Library employee may release the personal identifying information described in the valid release of information.
 - b. If approached by a law enforcement officer with a warrant or court order signed by a federal judge or federal magistrate, the Library employee is to allow the law enforcement officer to proceed with the activities described in the warrant or court order.
 - c. If the law enforcement officer does not have a warrant or court order signed by a federal judge or federal magistrate, the Library employee is to advise the law enforcement officer that, before proceeding with his or her request, Library staff must first notify and receive direction from the Library Director.
 - d. The Library employee is to request to be provided with a copy of any warrant or court order signed by a federal judge or federal magistrate. If provided, then the Library employee shall cooperate with the law enforcement officer with the search detailed in the warrant or court order and Library employees are instructed to not take any action that would obstruct that search. The Library employee is to make copies of all documents provided for Library record purposes.
 - e. If no signed warrant or court order is provided, the Library employee is to ask for and copy or note the telephone number of the officer's supervisor. The Library employee is to request that the law enforcement officer explain the purpose of the officer's visit, and to accurately note the response. The Library employee is to ask the officer to produce any documentation that authorizes access to the requested personal identifying information. If law enforcement officer are unable to produce any documentation the Library employee is to inform the law enforcement officer that the Library employee is unable to assist them.
 - f. The Library employee will document the law enforcement officer's actions while on District premises, and will not interfere or impede the officer's movements or actions.
2. Procedures to provide, as required by applicable state or federal law, any personal identifying information about a patron of the Library:
 - a. If the patron, or the patron's parent or guardian, has provided a valid release of information to the Library, then the Library employee may release the personal identifying information described in the valid release of information.
 - b. If approached by a law enforcement officer with a warrant or court order signed by a federal judge or federal magistrate, the Library employee is to allow the law enforcement officer to proceed with the activities described in the warrant or court order.
 - c. If the law enforcement officer does not have a warrant or court order signed by a federal judge or federal magistrate, the Library employee is to advise the law enforcement officer that, before proceeding with his or her request, Library staff must first notify and receive direction from the Library Director.

- d. The Library employee is to request to be provided with a copy of any warrant or court order signed by a federal judge or federal magistrate. If provided, then the Library employee shall cooperate with the law enforcement officer with the search detailed in the warrant or court order and Library employees are instructed to not take any action that would obstruct that search. The Library employee is to make copies of all documents provided for Library record purposes.
 - e. If no signed warrant or court order is provided, the Library employee is to ask for and copy or note the telephone number of the officer's supervisor. The Library employee is to request that the law enforcement officer explain the purpose of the officer's visit, and to accurately note the response. The Library employee is to ask the officer to produce any documentation that authorizes access to the requested personal identifying information. If they are unable to produce any documentation the Library employee is to inform the law enforcement officer of this Privacy Policy and to inform them that the Library employee is unable to assist them.
 - f. The Library employee will document the law enforcement officer's actions while on District premises, and will not interfere or impede the officer's movements or actions.
3. Procedures to provide access, or consent to access, as required by applicable state and federal law, to a part of the Library's facility, auxiliary facility, property or grounds that is not accessible to the public:
- a. If approached by a law enforcement officer with a warrant or court order signed by a federal judge or federal magistrate, the Library employee is to allow the law enforcement officer to proceed with the activities described in the warrant or court order.
 - b. If the law enforcement officer does not have a warrant or court order signed by a federal judge or federal magistrate, the library employee is to advise the law enforcement officer that, before proceeding with his or her request, library staff must first notify and receive direction from the Library Director.
 - c. The Library employee is to request to be provided with a copy of any warrant or court order signed by a federal judge or federal magistrate. If provided, then the Library employee shall cooperate with the law enforcement officer with the search detailed in the warrant or court order and Library employees are instructed to not take any action that would obstruct that search. The Library employee is to make copies of all documents provided for Library record purposes.
 - d. If no signed warrant or court order is provided, the Library employee is to ask for and copy or note the telephone number of the officer's supervisor. The Library employee is to request that the law enforcement officer explain the purpose of the officer's visit, and to accurately note the response. The Library employee is to ask the officer to produce any documentation that authorizes access to the requested personal identifying information. If they are unable to produce any documentation the Library employee is to inform the law enforcement officer of this Privacy Policy and to inform them that the Library employee is unable to assist them.

- e. The Library employee will document the law enforcement officer's actions while on District premises, and will not interfere or impede the officer's movements or actions.
4. Procedures to communicate information, as appropriate, about a federal immigration authority's request for information or access to the Library patron who was the subject of the request, or the parent, guardian, or relative of the Library patron:
 - a. In the event of a federal immigration authority's request for information or access, to the extent that the Library has the contact information of the Library patron, or the parent, guardian, or relative of the Library patron, the Library shall use its best efforts to contact such individual(s) to inform them of such activities as soon as practicable after such request has been submitted to the Library.
 - b. The Library shall retain all documentation received in connection with a federal immigration authority's request for information or access in accordance with the District's records retention policy.
5. Procedures to properly release information required by state and federal law that is otherwise protected if federal immigration authorities have: (1) a subpoena issued by a federal judge or magistrate; (2) an order issued by a federal judge or federal magistrate to allow access; or (3) a warrant issued by a federal judge or magistrate:
 - a. If approached by a law enforcement officer with a subpoena, warrant or court order signed by a federal judge or federal magistrate, the Library employee is to allow the law enforcement officer to proceed with the activities described in the warrant or court order.
 - b. The Library employee is to request to be provided with a copy of any subpoena, warrant or court order signed by a federal judge or federal magistrate. If provided, then the Library employee shall cooperate with the law enforcement officer with the search detailed in the warrant or court order and Library employees are instructed to not take any action that would obstruct that search. The Library employee is to make copies of all documents provided for Library record purposes.

In the event that information or access is requested for federal immigration enforcement, the designated responsible employees to be notified shall be the Library Director.

In addition to any other information provided by the law enforcement officer, at least the following information shall be requested and documented by the library in the event of any federal immigration enforcement activities occurring at the library:

- First and last name of the person leading the federal immigration enforcement;
- Employer Agency;
- Badge number; and
- A copy of the subpoena issued by a federal judge or magistrate, warrant issued by a federal judge or magistrate, or order issued by a federal judge or magistrate to allow access.

In accordance with C.R.S. 24-74.1-103(3)(b), the Library shall make this Policy available through the traditional means that the Library uses to communicate with employees, patrons, parents, guardians, and relatives.