

## ***Library Privacy Policy***

The Hayward Public Library makes every effort to protect the privacy of its borrowers. Following are **Frequently Asked Questions** about Library privacy issues.

### **Are my Library records private?**

Records of your personal information and your use of the library are private between you and the library. These records are only used in the operation of the Library such as your borrowing of library materials. The Library does not sell its customer database or use it in any way except in conjunction with library use.

### **What records of my use does the Library have?**

The Library maintains a database of borrower's registration records with names, addresses, and contact information. The Library has a record of all books and library materials checked out on your library card while you have them checked out.

When library materials are returned to the Library, all record of materials you borrowed is erased. If you are delinquent in returning materials, a record is maintained until you have paid your fine or returned the materials.

### **Are there computer records of the library materials I borrowed?**

The library computer system keeps track of all your materials while you have them checked out. Once you return them, they are erased from your customer record. Your name is retained on the item (book, CD, magazine, etc.) record until the item is borrowed again.

### **What about use of the library Internet terminals - can the Library find out what web sites I have visited?**

The Library keeps no record of computer terminal use other than sign up sheets for time on the computers. These sign up sheets are destroyed at the end of each day. The Library can tell what web sites computer terminals have visited. However, it can only tell that a particular computer visited the web site, not who was using the computer. Public computers are cleared nightly of any record of the days activity.

### **Does the Library have a policy on confidentiality of patron records?**

The Library operates in accordance with [California Library Law Public Records Act](#)

### **How can copies of my library records be given out?**

In order to prevent an unreasonable invasion of personal privacy, the contents of registration and circulation records are not made available to anyone except the individual customer whose record is in

question or under written order of the City Attorney, such order having been issued pursuant to a proper legal process, court order or subpoena under the law.

**Can law enforcement get copies of my library records?**

Yes, but only with a signed court order, search warrant or subpoena issued by a judge. Law enforcement must show probable cause of a crime or relevancy to an on-going criminal investigation or threat to this country.

**What does the USA PATRIOT Act do to my privacy and the use of the Library?**

The USA PATRIOT Act was enacted after the tragic events of September 11, 2001. It affects libraries by making it easier for Federal law enforcement to get a court order to access a customer's records. A court order is still required but the court order may be valid anywhere in the United States instead of a particular place. It also allows court orders to be issued using the less demanding standards for surveillance of foreign intelligence gathering rather than probable cause.

Further, the USA PATRIOT Act prevents the Library from informing a customer if records are seized by search warrant or subpoena. The same requirement of securing a court order to obtain customer records remains, however, the USA PATRIOT Act makes it easier to get a court order if terrorism is suspected.

**What can I do if I don't want anyone to know what I am borrowing or reading?**

Anyone may come into the Library and use library materials in the library. If you are concerned about borrowing materials, you can choose not to borrow them or if you do borrow them, you may keep materials for a very short period of time and return them promptly so the records are erased.

For additional information, contact the Main Library at 510-293-8685 or Weekes Branch Library at 510-782-2155.