

Appendix L [Policies Adopted by the Illinois Library Association]

ILLINOIS LIBRARY RECORDS CONFIDENTIALITY ACT

Emergency Release of Information Identifying Individuals Pursuant to Public Act 95-0040

The *Illinois Library Records Confidentiality Act* requires a court order before a library may publicly release information contained in library registration or circulation records. Public Act 95-0040 created an exception to the requirement for a court order if ALL of the following conditions are met:

1. The information is requested by a sworn law enforcement officer who states that it is impractical to get a court order as a result of an emergency situation;
2. The law enforcement officer states that there is probable cause to believe that there is imminent danger that someone will be physically harmed;
3. The information requested is limited to only identifying a suspect, witness, or victim of a crime; and
4. The information does not include any registration or circulation records that would indicate materials borrowed, resources reviewed, or services used at the library.

Public Act 95-0040 also provides that "if requested to do so by the library, the requesting law enforcement officer must sign a form acknowledging the receipt of the information. A library providing the information may seek subsequent judicial review to assess compliance with this Section."

A suggested Statement of Compliance follows. *ILA urges the Illinois library community to incorporate this information and form in their library procedures, to use this form when appropriate, to instruct all staff to follow the law, and to value and safeguard the privacy and confidentiality of library records.*

Officer's Request for Confidential Library Information

- A. This is a request under the *Illinois Library Records Confidentiality Act*, 75 ILCS 70/1 (copy attached) for information contained in the library's registration and/or circulation records.
- B. My request for information is limited to identifying a "suspect, witness, or victim of a crime."
- C. As the basis for this request, I represent the following:
 1. I am a sworn law enforcement officer.
 2. As a result of an emergency where I believe there is imminent danger of physical harm, it is impractical to secure a Court Order for the identification information.
- D. The information I request relates to the following: _____

(Description of information sought)

Officer's printed name

Officer's signature

Officer's badge number

Officer's Agency/Department

Date signed

Time signed

OFFICER'S ACKNOWLEDGMENT

I acknowledge receipt from the library of the information I requested.

Officer's signature

Date signed

(LIBRARY USE ONLY)

Name(s) of Library Staff assisting with the information requested:

Parlin-Ingersoll Public Library Board Approved:
July 20, 2016; Sept. 20, 2017; Sept. 20, 2020