

Privacy of Records Policy

The Ely Public Library respects the rights of its users to privately seek information and borrow library materials. In accordance with Minnesota state law (Statute 13.40), the library considers information in a patron's record – including both personal data and links to information on materials borrowed or requested – to be private. Such records shall not be made available to any agency of state, federal, or local government except pursuant to such process, order, or subpoena as may be authorized under the authority of, and pursuant to, federal, state, or local law relating to civil, criminal, or administrative discovery procedures or legislative power. The library will resist the issuance or enforcement of any such process, order, or subpoena until such time as a proper showing of good cause has been made in a court of competent jurisdiction.

If an agent or officer approaches library staff for access to library records, staff will immediately ask for identification and alert the library director that a law enforcement request has been made. The library will request to have its legal counsel present before and during the execution of a search warrant to assure that the search conforms to the terms of the warrant. Any court orders will be examined by the library's legal counsel for legal defects. If a defect exists, the library's counsel will advise on the best method to resist the order.