

Pine River Public Library District

Privacy & Requests for Release of Protected Information Policy

Confidential Information

Members of the Board of Trustees and employees of the Pine River Library District should observe a high standard of ethical conduct in their dealings with each other and with the public. This policy represents minimum standards and may be used as a reference if questions of conduct arise. These standards are not all inclusive but represent a guide for conduct. At a minimum, members of the Board of Trustees and employees of the Pine River Library (PRL) should follow the laws of the State of Colorado and of the United States of America.

The PRL Privacy & Requests for Release of Protected Information Policy informs the public of the steps PRL employees take to safeguard the privacy of patrons and library users. PRL patrons have the legal right to privacy in their use of the library as provided for in Colorado Library Law (CRS 24-90-119). Additionally, CRS 24-74-103 decrees that a library employee shall not disclose, or make accessible, personal identifying information that is not otherwise publicly available, and Colorado Senate Bill 25-276 requires library staff to protect certain civil rights of library users.

PRL works to avoid or minimize the capture and storage of personal patron information. PRL does collect certain identifying and residential information in the process of issuing a library card or providing services but in compliance with Colorado Senate Bill 25-275 does not collect information regarding:

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

PRL has security measures in place to protect the information collected. Employees, board members, and library volunteers are required to maintain patron confidentiality.

Patrons may choose to give other individuals permission to access their library account. A note will be added to their record to this effect.

The library is subject to the following laws that address patron privacy and civil rights:

- C.R.S. 24-90-119-122 of the Colorado Library Law: Privacy of user records
- C.R.S. 24-74-103: Personal identifying information shared by state agencies
- Colorado Senate Bill 25-276: Protect civil rights immigration status

As a public facility, law enforcement officers are allowed to perform their official duties within the library's public areas. Law enforcement includes local and state police officers as well as federal officers, including federal immigration enforcement officers.

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Procedure to properly release information required by state and federal law that is otherwise protected:

Law enforcement agencies, including federal immigration enforcement, may obtain library records and access to non-public areas of the library if they provide one of the following authorizations:

- (a) a subpoena issued by a federal judge or magistrate.
- (b) an order issued by a federal judge or federal magistrate to allow access; or
- (c) a warrant issued by a federal judge or federal magistrate.

The library director is authorized to allow access to library records in accordance with the conditions outlined above. The library director may appoint a substitute representative in their absence.

Law enforcement or immigration enforcement personnel must provide their name, employer, badge number, contact information, and a copy of the subpoena, warrant or order that allows access.

The library director or designated substitute will examine and verify the documents before releasing information.

Requests for access to information will be communicated with the patron or the patron's guardian.

Reviewed by the Board of Trustees July 2025

Approved by the Board of Trustees August 2025

Appendix:

Summary of key sections of law:

CRS24-90-119. Privacy of user records.

- (1) Except as set forth in subsection (2) of this section, a publicly supported library shall not disclose any record or other information that identifies a person as having requested or obtained specific materials or service or as otherwise having used the library.
- (2) Records may be disclosed in the following instances:
 - (a) When necessary for the reasonable operation of the library;
 - (b) Upon written consent of the user;
 - (c) Pursuant to subpoena, upon court order, or where otherwise required by law;
 - (d) To a custodial parent or legal guardian who has access to a minor's library card or its authorization number for the purpose of accessing by electronic means library records of the minor
- (3) Any library official, employee, or volunteer who discloses information in violation of this section commits a civil infraction and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars
- (4) A written request for reconsideration of a library resource made at a public library pursuant to section 24-90-122 (3) is not a library user record as described in subsection (1) of this section.

SB:25-276 Protect civil rights immigration status

Concerning measures to prevent the violation of civil rights of persons in Colorado based on immigrations status, and in connection therewith, reducing an appropriation.

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A publicly supported library, or an employee thereof, shall not collect the following, except as required by 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:

- (a) place of birth,
- (b) immigration or citizenship status; or
- (c) information from passports, permanent resident cards, alien registration cards, or employment authorization documents.

Each publicly supported library shall adopt and implement a policy for employees and a policy for children, students, patients, patrons, parents, guardians, relatives, and the general public, or amend an existing policy that aligns with the requirements of this article

For information and access each policy must include, at a minimum:

- (i) procedures to provide, as required by state and federal law, any personal identifying information about a patron who accessed or is accessing services, or was or is present, at a publicly supported library;
- (ii) procedures to provide, as required by state and federal law, any personal identifying information about a parent, guardian, or relative of a patron;
- (iii) procedures to provide access, or consent to access, as required by state and federal law, to a part of the publicly supported library's facility, auxiliary facility, property, or grounds that is not accessible to the public;
- (iv) procedures to properly release information required by state and federal law that is otherwise protected if federal immigration authorities have:
 - (a) a subpoena issued by a federal judge or magistrate;
 - (b) an order issued by a federal judge or federal magistrate to allow access; or
 - (c) a warrant issued by a federal judge or federal magistrate;
- (v) the designation of a responsible employee to be notified if information or access is requested for federal immigration enforcement;
- (vi) information that must be requested of and documented regarding federal immigration enforcement, including the first and last name of the person leading the federal immigration enforcement, employer, 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; and
- (vii) procedures to communicate information, as appropriate, about a federal immigration authority's request for information or access to the child, student, patient, or patron who was the subject of the request, or parent, guardian, or relative of the child, student, patient, or patron.

(b) A publicly supported library shall make its policies required pursuant to this section available through its traditional means, including upon request, a handbook, a website, or any other means that the publicly supported library uses to communicate with employees, children, students, patients, patrons, parents, guardians, and relatives.