

Privacy Policy

The J. Willard Marriott Library is committed to protecting the privacy of its patrons. Among other things, this means that we recognize and take seriously our responsibility to

- protect and keep strictly confidential the personal information with which library patrons entrust us
- keep confidential the online research activity of our patrons
- keep confidential the reading activity of our patrons, as reflected in circulation and other usage records including fines and fees

In view of this responsibility, the Library never shares patron information with third parties, including patron-specific circulation data or any other information that might identify a patron's information-seeking activity. As a matter of policy, the Library purges from its system all circulation records 30 days after a circulation transaction has closed and the items have been returned.

In the event that a duly authorized law-enforcement official requests patron-specific information, the Library will respond to the request as recommended by the University of Utah's Office of General Counsel. All such requests, whether oral or written, will be referred to the Dean and University Librarian.

Procedures

Marriott Library will observe the following procedures if a law enforcement officer presents a verbal request for records, a subpoena, a search warrant, or a court order:

- Staff who are approached should ask for the officer's identification and then immediately refer the officer to the Dean. Staff do not have to respond immediately to any request. If law enforcement is serving a search warrant, which is immediately executable, ask that they serve it to the Dean. Once the Dean or Dean's representative is available, s/he should call the Office of General Counsel and ask that they provide legal advice on any search.

Once the Dean (or acting representative) is available, s/he should ask for the officer's business card and then determine what type of search is requested.

- Inform the officer that policy requires that University counsel be notified of the request. No matter what type of request is presented by the officer, call the Office of General Counsel immediately.
- If the officer does not have a court order, subpoena, or search warrant compelling the production of records, the Dean (or representative) is not compelled to cooperate with an investigation other than to provide the name and address of the person speaking to the officers. Explain to the officer that the Library's policy and state law prohibit the release of user records without proper court documents.
- If presented with a court order, search warrant, subpoena, or other document, the Dean or representative should refer the document to legal counsel for review. Records that may be produced should be carefully reviewed by legal counsel before they are released. Do not provide any information that is not specifically requested. Never destroy information after it has been requested.
- If presented with a search warrant (which, unlike a subpoena, is immediately executable), ask to have legal counsel present before the search begins. Cooperate with the search to ensure that only the records identified in the warrant are produced.
- If the search warrant is issued under the Foreign Intelligence Surveillance Act (FISA) (USA PATRIOT Act amendment), the recommendations for a regular search warrant still apply. However, a search warrant issued by a FISA court also contains a gag order which means that no person or institution served with the warrant can disclose that the warrant has been served or that records have been produced pursuant to the warrant. No information can be disclosed to anyone, including the patron whose records are the subject of the search warrant. The library can still consult with legal counsel and ask that they be present during the search.
- In connection with any search make a list (without interfering with the officer) of any information the officer obtains, any tangible things (documentation, materials, data) viewed or confiscated, and any offices, rooms, computers, or other locations visited by the officer.
- Document any costs incurred as a result of compliance with any search or request for records. Reimbursement for certain data collection costs may be available.
- If legally permissible, call the ALA Office for Intellectual Freedom to inform them of the law enforcement visit.