



Portsmouth Public Library protects its patrons' right to privacy.

The library complies with New Hampshire State Law, including [RSA 201-D:11](#), which states that individual library records are confidential and shall only be revealed to the cardholder, to someone with the cardholder's consent or disclosed to the extent necessary for the proper operation of the library, or "pursuant to subpoena, court order, or where otherwise required by statute". This law further states that this does not prohibit a library from gathering and releasing statistical information related to library use provided that the identity of library users is not disclosed.

The information a patron gives to the library when applying for or updating a card, or even whether a person is a library cardholder, is confidential, as are all records of a patron's use of library materials and services.

The law applies to all borrowers, **regardless of age**.

The library also subscribes to the American Library Association's Code of Ethics. Article III states "We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted".

The First Amendment to the United States Constitution guarantees freedom of speech and of the press. This requires the corresponding right to hear what is spoken and read what is written, without fear of intrusion, intimidation or reprisal. Confidentiality is essential to protect the exercise of these rights from invasions of privacy.

The Portsmouth Public Library is an impartial resource providing information on all points of view, available to all persons regardless of age, race, religion, national origin, social or political views, economic status, or any other characteristic. This role must not be compromised by an erosion of the privacy rights of our library users.

Approved 10-19-2016

**TITLE XVI
LIBRARIES**

**CHAPTER 201-D
STATEWIDE LIBRARY DEVELOPMENT SYSTEM**

Section 201-D:11

201-D:11 Library User Records; Confidentiality. –

I. Library records which contain the names or other personal identifying information regarding the users of public or other than public libraries shall be confidential and shall not be disclosed except as provided in paragraph II. Such records include, but are not limited to, library, information system, and archival records related to the circulation and use of library materials or services, including records of materials that have been viewed or stored in electronic form.

II. Records described in paragraph I may be disclosed to the extent necessary for the proper operation of such libraries and shall be disclosed upon request by or consent of the user or pursuant to subpoena, court order, or where otherwise required by statute.

III. Nothing in this section shall be construed to prohibit any library from releasing statistical information and other data regarding the circulation or use of library materials provided, however, that the identity of the users of such library materials shall be considered confidential and shall not be disclosed to the general public except as provided in paragraph II.

Source. 1989, 184:3, eff. July 21, 1989. 2009, 273:1, eff. July 29, 2009.