

**POLICY 375
SEARCH WARRANT POLICY**

See also Policy 380 Request by a Sworn Law Enforcement officer

This Search Warrant Policy is designed to assist Library Staff in responding to Search Warrants.

The Library Records Confidentiality Act (75 ILCS 70/1-2) states that:

Section I. (a) The registration and circulation of records of a Library are confidential information. No person shall publish or make any information contained in such records available to the public unless:

(1) required to do so under a court order (THIS POLICY); or

(2) the information is requested by sworn law enforcement officer who represents that it is impractical to secure a court order as a result of an emergency where the law enforcement officer has probable cause to believe that there is an imminent danger of physical harm (POLICY 380).

Library Staff will cooperate with Law Enforcement Officials to allow access to items within the scope of the Search Warrant, while at the same time seek to protect the rights of patrons in accordance with the Illinois Library Records Confidentiality Act (75 ILCS 70/1-2).

A. Designated Library Individual

The Library Director will handle all requests to search Library records pursuant to a Search Warrant.

In the absence of the Director, the individuals holding the following Staff positions will deal with a Search Warrant issue (In all circumstances attempt to contact the Library Director):

1. Assistant Director
2. Circulation Department Director
3. Youth Services Department Director
4. Adult Services Department Director
5. Technical Services Department Director
6. Person In-Charge of the Library as indicated by the In-Charge List

B. Identify Serving Officer

The Library Director will request identification from the Law Enforcement Officials and record their names, badge numbers and agencies.

C. Review Warrant for Content

The Library Director will review the Search Warrant when served and will contact the Library

Attorney for consultation concerning the scope of the Warrant and compliance procedures.
The Library Attorney is: Roger A. Ritzman
Office Phone: 630/665-1900

D. Request the Presence of Library Attorney

The Library Director will ask the law Enforcement Officials to wait until the Library Attorney is present before beginning the search.

E. Fill out Search Warrant Information Form

F. Cooperate with Officials

The Library Director will cooperate with Law Enforcement Officials to help identify the records/evidence falling within the scope of the Search Warrant.

G. No Access to Other Records

The Library Director will not permit access to records beyond the scope of the Search Warrant, i.e., records not specifically identified in the search Warrant.

H. Record Evidence Viewed or Taken

The Library Director will record all records or evidence viewed, copied, or removed from the Library pursuant to the search.

I. No Disclosure of Search

No person will disclose the receipt of the Search Warrant or the search to anyone except the Library Director and/or the Library Attorney.

J. Provide this Policy

To assist Law Enforcement Officials, a copy of this Search Warrant Policy will be provided promptly to the Officials upon arrival at the Library.

Adopted 12/10/08