

## SEARCH WARRANT AND SUBPOENA POLICY

### □ PURPOSE

This Policy is designed to assist Library staff in responding to Search Warrants and Subpoenas.

Library staff will cooperate with Law Enforcement Officials to allow access to items within the scope of a Search Warrant or Subpoena 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).

### □ DESIGNATED LIBRARY INDIVIDUAL

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

In the absence of the Director, the individuals holding the following Staff positions will deal with a Warrant issue:

1. Adult Services Department Head;
2. Circulation/Technical Services Department Head;
3. Youth Services Department Head;
4. Computer Services Department Head;
5. Local History Coordinator.

Staff will first try to contact the Library Director. If the Library Director cannot be reached, the Library attorney should be contacted.

### □ IDENTIFY SERVING OFFICER

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

### □ REVIEW WARRANT FOR CONTENT

The Library Director will review the Warrant when served and will contact the Library Attorney for consultation concerning the scope of the Warrant and compliance procedures.

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Office Phone: (312) 984-6400  
Home Phone: (630) 323-6782

If not available, the Library Director shall ask for Ken Friker or Jerry Dempsey.

The Library attorney will inform the Library as to the requirement of compliance.

❑ **REQUEST TIME TO CONTACT THE LIBRARY ATTORNEY**

The Library Director will ask the Law Enforcement Officials to wait until the Library Attorney has been contacted before beginning the search. If necessary, the presence of the Library Attorney will be requested.

❑ **COOPERATE WITH OFFICIALS**

The Library Director will cooperate with Law Enforcement Officials to help identify the records/evidence falling within the scope of the Warrant and will retain a copy of the Warrant for the Library's records.

❑ **NO ACCESS TO OTHER RECORDS**

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

❑ **RECORD EVIDENCE VIEWED OR TAKEN**

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

❑ **NO DISCLOSURE OF SEARCH**

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

❑ **PROVIDE THIS POLICY**

To assist Law Enforcement Officials a copy of this Warrant Policy will be provided promptly to the Officials upon arrival at the Library with a Search Warrant. In the case of the delivery of a Subpoena, this Policy shall be reviewed before any action is taken.

In the event of an emergency, where a law enforcement officer with the ranking of Sergeant or higher, from the Bloomingdale Police Department believes there is imminent danger of physical harm and it is impractical to secure a Court Order for the identifying information, may request information for confidential library information by filling out the request form found under this policy as Attachment A: Officer's Request for Confidential Library Information.

Approved by the  
Library Board of Trustees