

## USA PATRIOT Act

### **Purpose**

The Rabun County Public Library is legally required to cooperate with law enforcement agents regarding inquiries and investigations based on the USA PATRIOT Act.

### **Policy**

The Rabun County Public Library Board of Trustees delegates authority to the library manager to follow the procedures established here to comply with the USA PATRIOT Act.

### **Procedure for handling search warrants**

#### **Definitions**

**Search Warrant-** A court order (i.e. signed by a judge) that gives police the right to enter private property and to search for evidence of the commission of a crime, or the proceeds of crime or property that the police suspect have been used to commit a crime. The court orders are obtained on the basis of a sworn statement(s) by the requesting law enforcement officer and will describe precisely the place to be searched and, in some cases, the exact property being sought.

**Subpoena-** An order of a court that requires a person to be present at a certain date, place, and time to testify or submit information or materials stated in the subpoena. This legal tool carries a penalty for failure to comply.

#### **Procedure**

All law enforcement officers- local, state, or federal- should identify themselves with the proper badges and/ or identification.

1. Upon establishing identity, escort the officer to the library's community room.
2. Immediately contact the library manager or designee.

In the absence of the library manager, or designee, regional office will be notified will proceed with the following.

1. Identifying the agent in charge of executing the warrant.
2. Asking for a business card or record the name, title, agency, and telephone number of the agency.
3. Asking for a copy of the warrant and any affidavit submitted to the court to obtain the warrant.

4. Have the agent or officer identify the prosecutor by name and phone number, if not indicated on the document. The agent may be acting at the direction of the prosecutor.

Inform the agent or officer that the library manager, business manager, or designee has been contacted and is on the way. Request the agent or officer to wait until they arrive. If the library manager cannot be reached, the business manager, will make these contacts in the following order:

- County Administrator and County Attorney
- Library Board of Trustees Chair or Vice-Chair
- Library Director of the Northeast Georgia Regional Library System.

The agent or officer is NOT required to wait. If the agent or officer will not wait, take the following steps to monitor the search:

1. carefully (slowly) read the warrant;
2. verify that a judge or magistrate has signed the warrant. If there is a discrepancy, notify the agent or officer;
3. determine the scope of the warrant- type of evidence sought- and note any discrepancies. Attempt to assist the agent or officer in retrieving those documents that are the subject of the search;
4. identify library staff who may help in the search for minimal disruption to library service. Ask that others be permitted to leave;
5. advise library staff that they should cooperate with the agent or officer but are not required to answer questions;
6. monitor the search, but do not obstruct.
7. photocopy each item seized. If not permitted to photocopy, record in detail all items seized;
8. request backup copies of all documents and computer disks before the computers are taken;
9. if privileged documents that are believed to be outside the scope of the search, ask the agent to segregate the materials and mark them "privileged";
10. the agent or officer will prepare an inventory of all items seized, ask for a copy of the items, but do not sign anything verifying the content or accuracy; and
11. instruct all library staff that the search warrant must not be discussed with the press, other library staff, or anyone outside the library.

## Intellectual Property Laws

### **Purpose**

The Rabun County Public Library is legally bound to protect the rights of property owners while providing information to library users.

### **Policy**

It shall be the policy of the Rabun County Public Library to respect all intellectual property laws, and to attempt to balance the rights of property owners with the rights of library users to have information.

The library shall post notice that the library staff will not knowingly violate copyright laws, nor permit library equipment and resources to be used in violation of copyright laws.

The library board delegates responsibility to the library manager to inform and train library staff about library procedures for copying copyrighted printed or electronic materials.

A notice stating the library's compliance with copyright laws must be posted at the copiers and printers where there is public access.

### **Warning concerning copyright restrictions.**

**The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted materials.**

***Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or reproduction. One of these specific conditions is that the photocopy or reproduction is not to be "used for any purpose other than private study, scholarship or research." If a user makes a request for, or later uses a photocopy or reproduction for purposes in excess of "Fair Use", that user may be liable for copyright infringement.***

The Rabun County Public Library staff will neither photocopy nor assist others with photocopying requests that violate copyright law; nor will this institution accept responsibility for violations committed by library users.