



Federal Agent Response Policy

It is the policy of the Warner Library to serve library users as outlined in its charter, mission, and plan of service without regard to immigration status, and to respond to any inquiry or visit from Federal Agents as it would to any other visit from law enforcement.

To ensure compliance with this policy, the library shall adhere to the below procedures when addressing requests from or the presence of Federal Agents in the Library.

In any instance where Federal Agents enter the library or ask questions of staff, the library management should immediately be notified. Library management will determine if local law enforcement should be notified. Library staff should write up an incident report with as many details as possible.

1. Agents visiting the public areas of the Warner Library

Public areas include any area not marked with employee only signs, or unlocked bathrooms, and does not include mechanical rooms.

In the event that Federal Agents enter the library and remain in the public areas, Library employees will not impede their access to public areas or interfere with the visit, unless such Federal Agents are disruptive as defined by the Public Code of Conduct Policy. In which case the person in charge may request that disruptive behavior be discontinued.

2. Agents in Non-Public areas of the Warner Library

Non-Public areas include staff offices, the breakroom and locked bathrooms, program rooms, custodial closets, basement and mechanical rooms.

In the event that Federal Agents enter the library and wish to access a non-public area, the library employee in charge should follow these steps:

- a. Ask the Agent for their name(s), badge number, and contact information.

- b. Ask whether the Agent(s) has a subpoena, court order, or duly executed signifier of statutory authority. This is required by law to search in non-public areas.
- c. If they do not have a subpoena, court order, or duly executed signifier of statutory authority, staff will explain politely they do not have consent to enter the nonpublic area of the library without confirmed, written authority.
- d. If the Agent has a subpoena, court order, or duly executed signifier of statutory authority, staff will ask to see it and to make a copy. File the copy along with an incident report.
- e. If the Agent will not produce the document, the staff can refuse to allow Agents into the non-public areas of the building.

Library employees will not attempt to determine whether the subpoena, court order, or duly executed signifier of statutory authority is valid. If possible such documents should be reviewed by the library's lawyer before non-public areas are accessed.

3. Request for access to documents or patron information

When an Agent visits the library, they may be seeking an individual, but they may also ask for documentation that includes library user information.

Library User Information includes a user's name, contact information, library card number, program participation, demographic information, records related to the circulation of library materials, computer database searches, interlibrary loan transactions, reference queries, requests for photocopies of library materials, title reserve requests, the use of audio-visual materials, films or records, and library security camera footage. This can be written information or information provided in a conversation, or information in another format. Library user information also includes whether the person is in the building at the time of the visit.

In the event that Federal Agents enter the library and wish to access an individual's information, the library employee in charge should follow these steps:

- a. Refer to the library's Confidentiality of Patron Records Policy.
- b. Ask the Agent for their name(s), badge number, and contact information.

- c. Ask whether the Agent(s) has a subpoena, court order, or duly executed signifier of statutory authority authorizing the library to provide access to the individual's records.
- d. If they do not have a subpoena, court order, or duly executed signifier of statutory authority, explain politely that you can't help them at this time.
- e. If the Agents tell you that they have a subpoena, court order, or duly executed signifier of statutory authority, ask to see it and to make a copy. File the copy along with an incident report.
- f. If the Agent will not produce the document, the staff can refuse to allow Agents access to the patron information.

Library employees will not attempt to determine whether a subpoena, court order, or duly executed signifier of statutory authority is valid. If possible such documents should be reviewed by the library's lawyer prior to user information being disclosed.

4. Removal of library patron by Agents

This is a situation in which an Agent(s) makes contact with a library patron and tries to detain and/or leave the Library's facility with the individual(s) against their will or by force.

In the event that an Agent(s) has detained an individual in the library and is leaving with the individual, the employee in charge should follow these steps:

- a. Do not assist the individual(s) in escaping or hiding, including using a backdoor or other staff-only exits.
- b. Do not make a false statement to the Agent(s).
- c. Do write a detailed incident report and file it with the library. If any behavior of concern by staff or other community members occurred, staff should discuss with appropriate leadership before finalizing the report.

- d. In the case where a removed person leaves behind a juvenile, all efforts should be made to immediately contact another guardian. If another guardian cannot be reached staff should contact the local police.
- e. In the case where any patron, staff or other person is injured during a visit by Federal Agents, the local police should immediately be notified.