

# Privacy of Library Use and Public Libraries as Limited Public Forums

## Privacy of Users

Public Libraries have the *legal responsibility* by Arizona law to protect the privacy of library users.

**Disclosing any record or information about a person's use of the public library is a class 3 misdemeanor.**

Here is the Arizona law in its entirety:

### **Arizona Revised Statute 41-151.22. Privacy of user records; violation; classification; definition**

A. Except as provided in subsection B of this section, a library or library system supported by public monies shall not allow disclosure of any record or other information, including e-books, that identifies a user of library services as requesting or obtaining specific materials or services or as otherwise using the library.

B. Records may be disclosed:

1. If necessary for the reasonable operation of the library.
2. On written consent of the user.
3. On receipt of a court order.
4. If required by law.

C. Any person who knowingly discloses any record or other information in violation of this section is guilty of a class 3 misdemeanor.

D. For the purposes of this section, "e-book" means a book composed in or converted to digital format for display on a computer screen or handheld device.

## Public Libraries as Limited Public Forums

Public Libraries are considered limited public forums. As such, they are not considered public in the same way as a street corner.

**Libraries have the *right and duty* to limit the activities of people inside the library or on library property.**