

Nederland Community Library District - Policy

Approved by the Board of Trustees on April 29, 2026

Law Enforcement Requests for Customer and Staff Information and Access to Non-Public Areas Policy

1.0 Purpose:

Nederland Community Library supports and complies with the Colorado Library User Records Privacy Act (C.R.S. § 24-90-119), C.R.S. § 24-74.1-101, et seq., the American Library Association's Policy on Confidentiality of Library Records, and the Colorado Association of Libraries Statement on Intellectual Freedom with respect to the confidentiality of library records. All library records, including but not limited to library accounts and video footage relating to a customers' use of the library and its resources are confidential, unless otherwise required to be disclosed under state or federal law.

2.0 Definitions: NCL = Nederland Community Library

3.0 Policy:

Law Enforcement Requests for Customer and Staff Information

NCL will comply with local, state, or federal law enforcement authorities' request for information and release customer records when authorities provide at least one of the following:

- A) A subpoena issued by a local or state judge or magistrate.
- B) An order issued by a local or state judge or magistrate.
- C) A warrant issued by a local or state judge or magistrate.

NCL will comply with federal immigration enforcement authorities' request for information and release customer records when authorities provide at least one of the following:

- A) A subpoena issued by a federal judge or federal magistrate.
- B) An order issued by a federal judge or federal magistrate.
- C) A warrant issued by a federal judge or federal magistrate.

NCL will also release customer records to local, state, or federal law enforcement authorities when the library obtains:

- A) The consent of the customer concerned through a valid release of information; or
 - B) The consent of the customer's parent or legal guardian through a valid release of information.
- A customer wishing to consent must complete an information release form.

NCL will consult with legal counsel before responding to requests for customer or employee information. Approval to share customer or employee information with law enforcement as defined by C.R.S. § 24-90-119 or C.R.S. § 24-74.1-101, et seq. shall be issued in writing by the Executive Director or their designee.

If a local, state or federal law enforcement authority is unable to present any of the above documentation, or there is no valid consent form on file, then the request for information or access will be denied.

Regarding any federal immigration enforcement request, NCL staff will request and document the first and last name of the person leading the federal immigration enforcement, employer, badge number, and a copy of the subpoena, warrant, or order issued by a federal judge or federal magistrate to allow access.

NCL has no affirmative duty to collect or retain information about library customers on behalf of law enforcement.

Upon the receipt and verification of such documents, or the receipt of a valid consent form, NCL will provide such information as is permitted in the warrant, subpoena, or order.

The requested information will be provided to the authorities in the form in which it was requested.

Law Enforcement Accessing Public and Non-Public Areas of NCL Facilities

As a public library, law enforcement officers are welcome to access the public areas of the library.

NCL will permit law enforcement access to library property that is not ordinarily accessible to the public, if authorities deliver a warrant, subpoena, or court order issued by a local, state, or federal judge or magistrate allowing for such access, or in the case of federal immigration enforcement activities a warrant, subpoena, or court order issued by a federal judge or magistrate.



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Individuals not employed by NCL, excluding those working in a voluntary capacity, shall not be allowed in staff areas, except when necessary for reasonable library operation.

4.0 Attachments

5.0 Revision History

Appendix A: Staff Procedures for Law Enforcement Requests for Customer and/or Employee Information or Access to Non-Public Areas

1. Our libraries are public facilities and law enforcement officers are allowed to perform their official duties within the public areas of the library. Officers should not enter staff areas except in case of emergency or as authorized pursuant to a court order, subpoena, warrant issued by the proper authority.

2. While we rely on our local police and sheriff departments to help keep our libraries safe, there are legal requirements when they request customer or employee information. Specifically, if local, state or federal law enforcement (Federal Bureau of Investigations, Immigration Customs Enforcement, Department of Homeland Security, etc.) request information about our customers or employees or request access to non-public areas, please adhere to the procedures provided below.

If you are aware of an officer requesting customer information within the library or requesting access to non-public areas, please do the following:

1. Advise the officer that, before proceeding with their request, staff must notify and receive direction from the Director or Person in Charge.
2. Decline to answer questions posed by the officer and direct them to speak to the Director or Person in Charge. Never share customer or employee information, including information about an employee's schedule.

For Director and Assistant Director:

1. Regarding any federal immigration enforcement request, request and document the first and last name of the person leading the federal immigration enforcement, employer, badge number, and a copy of the subpoena, warrant, or order issued by a federal judge or federal magistrate to allow access. Also ask for and copy or note the telephone number of the officer's supervisor. Finally, ask the officer to explain the purpose of their visit, and note the response.
2. If they are unable to produce any documentation please inform the officer of this Policy and let them know that you are unable to assist them.

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3. If the officer provides documentation, make copies of all documents provided.
4. Scan to email any documentation to the Director and Board President.
 - a. One of them will contact Legal Counsel to verify the authenticity of the scanned documents and will advise the person handling the situation on site on what information they can provide the officer.
 - b. Do not provide any information without a verified court order, subpoena, warrant, or customer consent to release of information.
5. Document the officer's actions in as much detail as possible when they enter public library premises without interfering with the officer's movements.
6. For safety reasons, if the officer orders employees to provide immediate access to non-public areas, employees should comply with the officer's order, and immediately contact the Director and/or Board President
 - a. Employees should not attempt to physically interfere with the officer, even if the officer appears to be acting without consent or appears to be exceeding the purported authority given by a warrant or other document.
 - b. If an officer enters the non-public areas without authority, staff shall document the officer's actions while at the facility.
7. The Director or Person in Charge should complete an incident report that includes the information gathered as described above and the officer's statements and actions. The incident report should be delivered to any customer whose information was requested by any federal immigration authority.

Be Aware of Your Surroundings

1. If you see any person who has not identified themselves, lurking, watching approaching customers, please approach them and ask if they need any help.
 - a. If they are disturbing or harassing customers, please ask them to stop. If they continue, you can ask them to leave for the day as per our Code of Conduct.

Provide "Know Your Rights" Cards

1. Staff may print "Know your rights cards" and distribute to customers.
Do not give customers legal advice or tell them what they should do.

Support Unattended Children

1. If, as a result of enforcement agents' activities, there are children left unattended, please contact the Director and the Town's Public Safety Team.

Officers Requesting Employee Information

1. If an officer requests information about NCL employees, please refer them to the Director
2. Please remember to never share information about other employees including their schedule.



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