

Procedures for a government investigation visit to the Montana State Library:

The staff member who is first approached by a government investigator should notify the staff member in charge in the building immediately. The Director should be called if she/he is not in the building. The County Attorney's office should be notified immediately (ext. xxxx) In the event that none of these persons is available, the staff person in charge is responsible for working with the government investigator in accordance with the procedures noted below.

1. Ask to see identification of the agent(s) and write down the name and badge number. In the event that those claiming to be FBI or other agents refuse to show identification, contact local police immediately and ask for officers to come to the Library to work with the agents.
2. In order to search Library premises for information about patrons or staff members, law enforcement officials should present search warrants or court orders authorizing this activity. Staff member in charge should always ask for such documents BEFORE searches commence.
NOTE: The officers serving the warrant have the right to proceed...the only issue is to ensure that the warrant is executed in accordance with its terms and the search limited to its terms. For example, a warrant to search the library for drugs would not give the officers the right to access the database. Conversely a warrant to search the library database would not give a right to search drawers and closets.
3. Emergency situations which may be declared by investigating officers to be exigent or involving immediate danger if their efforts are delayed might prevent the immediate production of search warrants. Staff members should ask that the documents be produced at a later time and take careful note of the names of agents and the reasons given by them for conducting the search before presenting court documents.
4. Incident reports must be filed whenever official investigations are undertaken on library premises.
5. The following types of situations might be involved in an investigation:
 - a. Request to see list of Internet Users. MSdL has no list of internet users. Waiting lists are shredded each day. The cache is cleared daily.
 - b. Request to see borrower list.
 - c. Request to see list of items checked out by borrower. Only overdue and current items should be available via the SIRSI catalog. Back borrower records are expunged.
 - d. Confiscation of internet stations and/or computers. Comply. Do not try to resist. Call 911 and notify local police if agents fail to provide proper identification. Be sure to record any and all inventory numbers for the units removed.
 - e. Asking of general questions by agents about any suspicious persons or activities in the Library. Answer truthfully. Avoid giving names and specific information unless asked and court order is presented or agent insists upon emergency situation.
 - f. Specific question about seeing a person or persons depicted in photograph or sketch using the library dates, times, places, etc. Make sure that all staff present who may have been on duty in the places and times have a chance to see the photos.
 - g. If agents require staff to not repeat or divulge information about their investigations, inform agents that Library Officials, Attorney and Board Members must be kept apprised of all investigatory actions undertaken in the Library. While on duty, staff members are employed as public servants as are the police and FBI agents. The library as an organization, is responsible for actions of staff members in the discharge of their duties and as a corporate body should be charged with the maintaining of any confidences relative to investigations undertaken on library premises.
 - h. If you believe that you have some information about activities in the library which might be of importance to the authorities, notify the Director or highest ranking authorized staff member who will decide whether to approach outside investigatory agencies. Library legal counsel may need to be contacted before initiating action. However, if it is believed that injury to patrons or staff might be imminent, contact police immediately.