

Back in March 2020, MLA was one of the last to testify at the Senate Judiciary and Safety Committee meetings as we introduced SB611. We waited all summer before we were able to get back onto the agenda of the Senate to pass it – and they passed it unanimously on Tuesday, September 22, 2020. It was immediately sent on to the House. On November 12, we were again prepared to testify in front of the House Judiciary Committee but this committee meeting was cancelled due to an outbreak of COVID-19 among members. We are now back on the committee agenda to deliver testimony on December 1. And, we are totally prepared. [Read our transcript here](#)

and if anyone would like to provide support to the House Judiciary Committee, please send the following email to Committee Clerk Melissa Sweet at msweet@house.mi.gov.

Melissa, My name is _____ and I work for _____. I am not able to be at the Judiciary Committee on Tuesday, December 1 but I wanted to formally register my support for SB 611. Can you please add a card of support on my behalf? Thank you,

Michigan Library Association
Testimony in Support of SB611

Deborah E. Mikula, Executive Director
December 1, 2020

Thank you, Chairman Filler and to the rest of the House Judiciary Committee for allowing us to provide this testimony to you today in support of SB611 as introduced by Senator MacGregor and unanimously approved by the Michigan Senate.

My name is Debbie Mikula and I am the Executive Director of the Michigan Library Association. The Michigan Library Association is a professional organization of close to 1900 libraries and

library professionals and our mission is to lead the advancement of all Michigan libraries through advocacy, education and engagement.

Last October, Senator MacGregor introduced SB611 to amend the Michigan Library Privacy Act, 1982 PA 455. The intention of his bill is to enable libraries to work with law enforcement when the library is a victim of a crime.

The Michigan Library Association took time to do our due diligence to review the changes, since this revision affected all libraries -- school, academic and public -- throughout the state. With input from the library community, we asked for updates to clarify key concerns which were incorporated. The Michigan Library Association board of directors voted unanimously to support the substitution bill.

The current bill removes obstacles and legal barriers libraries sometimes face when a crime has been committed in the library while providing for continued protection to one of their core foundational values... protecting patron privacy, in their reading histories, materials borrowed, resources reviewed, or services used at the library.

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The bill defines crime, defines law enforcement officer and who is considered an agent

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The bill clarifies that a library record does not include video surveillance and that video surveillance can be turned over to law enforcement without a court order if it shows no identifying library records or library activities. It also clarifies that without going into a library record, that personal knowledge, like a name or where someone lives, may be shared with a law enforcement officer.

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The bill redefines who is liable, and allows the courts to grant equitable relief, if warranted.

Since 1982, there have been many unclarified points within the Privacy Act – librarians, library board members, attorneys and others disagree with its interpretation and we believe that the current bill clarifies those misconceptions that are prevalent in communities across the state and sometimes even in libraries five miles down the road from each other. I think we can all appreciate just how much our world has changed since 1982 (before video, before cell phones, before email, before wifi) when this law was enacted.

Libraries have an obligation to provide a safe and welcoming environment for the public that they serve. By updating the current Act we are providing the potential to make libraries safer by hastening the investigation of crimes committed in the library and on library property through video surveillance.

The Michigan Library Association will be vigilant in educating our statewide libraries of the changes if enacted into law.

Again, thank you for the opportunity to provide this testimony to the House Judiciary committee. The Michigan Library Association appreciates your time and support of Michigan libraries.