

# Policies

## PRIVACY, PROTECTION OF LIBRARY PATRON

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**Review Date: 2028**

It is the policy of the Library Board of Trustees to protect the privacy of all library patrons and to make no inquiry into the purposes for which a patron requests information or materials.

Records that may be required to manage the possession or use of materials, whether on or off library premises, are for the sole purpose of protecting public property. Such records are not to be used directly or indirectly to identify the kinds of materials used by individual library patrons, except insofar as the library may be helpful to such patrons.

Furthermore, it is the policy of the Library Board of Trustees never to yield any information about its patrons or their reading to any agency of government whether local, state or federal, except upon an order from a court of competent jurisdiction. Costs incurred by the library in any search through patron records, under a court order, shall be billed to the agency conducting such search.

Except as stated above, the staff of the library shall not provide information to a third party about who uses library meeting rooms or equipment, what a patron of the library is reading or calling for from the library's collection, or items that a library patron requests from other libraries.

Users may choose to have a reading list generated which compiles materials checked out by that user; users must opt in to initiate this service, and records so compiled may only be obtained through court order.

With respect to library services that archive reading history or reading preference for the purpose of patron convenience: 1) a patron must choose to opt in to such services, and 2) information so archived will only be divulged upon an order from a court of competent jurisdiction.

Per Wisconsin Statute 43:30 (1m) & (2) library staff, working within the scope of their duties in the administration of the library, may disclose the identity of an individual who borrows or uses the library's materials and the pertinent records of that individual to persons authorized by the individual to inspect the records, to custodial parents of children under the age of 16, to other libraries for purposes of interlibrary loan, or to the Merrill City Attorney's office if those materials are considered lost as per our Fines Policy for lost materials.

Wisconsin Act 34 of 2007 creates two exceptions to the general requirement that a court order must be obtained before library records are disclosed that may indicate the identity of library patrons.

1. Upon the request of a law enforcement officer who is investigating criminal conduct alleged to have occurred at a library supported in whole or in part by public funds, the library shall disclose to the law enforcement officer all records pertinent to the alleged

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criminal conduct that were produced by a surveillance device under the control of the library.

2. If a library requests the assistance of a law enforcement officer, and the director of the library or other designated staff member determines that records produced by a surveillance device under the control of the library may assist the law enforcement officer to render the requested assistance, the library may disclose the records to the law enforcement officer.

Library staff will follow the steps outlined in the “Law Enforcement Inquiries Procedures” when a request for patron records is received from a law enforcement officer or agent.

Basic to this policy is the “POLICY ON CONFIDENTIALITY OF LIBRARY RECORDS” of the American Library Association.