

River Falls Public Library Confidentiality Policy

**Approved by: River Falls Public Library Board of Trustees
Revised: 6/7/2004, Revised 5/7/2019**

The First Amendment of the United States Constitution guarantees freedom of speech and of the press. This requires the corresponding right to hear what is spoken and read what is written, free from fear of intrusion, intimidation or reprisal. Confidentiality is essential to protect the exercise of these rights from invasions of privacy. The courts have upheld the right to privacy based on the Bill of Rights of the U.S. Constitution.

Libraries are one of the great bulwarks of democracy. They are living embodiments of the First Amendment because their collections include voices of dissent as well as assent. The River Falls Public Library is an impartial resource providing information on all points of view, available to all persons regardless of age, race, religion, national origin, social or political views, economic status, or any other characteristic. This role must not be compromised by an erosion of the privacy rights of our library users. Many states, including Wisconsin provide guarantees of privacy in their constitutions and statutes.

The River Falls Public Library follows Wisconsin State Statute 43.30 and Wisconsin's Information Practices Act Statutes (Sections 19.62 to 19.80) that protect privacy and the confidentiality of library users.

Identification may be required for use of library services, such as issuing cards, updating a card, reserving materials, registering for programs, using computers or using a meeting room. This information is privileged under Wis. Stat. 43.30. Identification may be necessary for the safety and security purposes or when library rules have been violated. Refusal to identify oneself may be grounds for denial of service or contacting the police.

The River Falls Public Library protects the privacy of patron library use as required by Wis. Stat. 43.30. Records indicating the identity of any individual who borrows or uses the library's documents or materials, resources, or services may not be disclosed.

Confidential records extend to:

- 1) account registration information
- 2) information sought or received
- 3) library materials consulted or borrowed
- 4) database searches
- 5) reference interviews
- 6) reader's advisory
- 7) circulation
- 8) interlibrary loan
- 9) program registration
- 10) signup sheets
- 11) material complaints
- 12) correspondences about library use
- 13) records produced by a surveillance device
- 14) any other such records, with personally identifiable uses of materials, facilities, programs or services that may be accumulated.

There are several exceptions to the prohibition on releasing these records.

First, any record must be released if the library has been issued a court order (subpoena or other order).

The library must also release records without a court order, under these circumstances:

- 1) surveillance records must be released to law enforcement personnel investigating criminal conduct alleged to have taken place at the library
- 2) to persons authorized by the individual to inspect the individual's record
- 3) to custodial parents or guardians of children under 16
- 4) exigent circumstances if someone's life is at risk, or if release of the records would stop a crime in progress or one about to occur

In addition, records may be released without a court order under these circumstances:

- 1) to persons acting within the scope of their duties in the administration of the library or library system
- 2) to the staff of another library to allow the individual to borrow materials from that library
- 3) records produced by a surveillance device may be released if the library director has requested the assistance of a law enforcement officer and the director believes these records may assist the officer
- 4) if the library is trying to retrieve overdue materials or collect money owed it may release information to a collection agency. Information released is limited to the person's name, contact information, amount of bill owed, and number and types of materials that are overdue.

The River Falls Public Library complies with Section 19.62 to 19.80, requiring libraries to develop rules of conduct for employees involved in collection, maintaining, using, and providing access to personally identifiable information, and to ensure that employees handling of such records know their duties and responsibilities relating to personal privacy, including applicable state and federal laws.