



Privacy of Library Records and Library Use

The Fitchburg Public Library and the Library Board support the principle of freedom of inquiry for all Library patrons, and has adopted this policy to protect against the unwarranted invasion of personal privacy of Library users. The Fitchburg Public Library and the Library Board also protect the privacy of Library records and the confidentiality of patron use of the Library as required by relevant laws.

All Fitchburg Public Library records which indicate the identity of Library users are confidential. This confidentiality extends to any information sought or received, including Library materials consulted or borrowed, database search records, information sought through staff interactions, registration records, Internet usage history, and all other personally identifiable uses of Library materials, facilities or services. This includes physical usage of the Library facilities, and staff cannot confirm the presence of patrons in the building by any means.

Patrons are permitted to access their registration and circulation records only upon presentation of their Library card or an acceptable photo ID. Corroborating identification may be required at the discretion of Library staff. Circulation activity (titles, item information, due dates, hold information, charges or fees) will be given over the telephone only if the patron can correctly state their name, address, telephone number and Library barcode number. The holds pickup authorization system does not grant access to account information of another patron.

Other than directly to the cardholder, patron information can only be disclosed to:

1. Persons acting within the scope of their duties in the administration of the library or library system.
2. Persons authorized by the card holder to inspect the individuals' record.
3. Custodial parents or legal guardians of card holders for patrons under the age of 16.
4. Law Enforcement Officers who are investigating criminal conduct alleged to have occurred on Library property.
5. An agency or individual employee of any local, state, or federal government, pursuant to the process of a subpoena, court order, or warrant. Library staff will seek legal counsel from the [Fitchburg City Attorney](#) in the event of such request for release of library records, and will respond to the request according to the advice of counsel.

Wisconsin Statute 43.30. Public library records.

- 1) Records of any library which is in whole or in part supported by public funds, including the records of a public library system, indicating the identity of any individual who borrows or uses the library's documents or other materials, resources, or services may not be disclosed except by court order or to persons acting within the scope of their duties in the administration of the library or library system, to persons authorized by the individual to inspect such records, to custodial parents or guardians of children under the age of 16 under sub. (4), to libraries under subs. (2) and (3), or to law enforcement officers under sub. (5).
- 2) A library supported in whole or in part by public funds may disclose an individual's identity to another library for the purpose of borrowing materials for the individual only if the library to which the individual's identity is being disclosed meets at least one of the following requirements:
 - a) The library is supported in whole or in part by public funds.
 - b) The library has a written policy prohibiting the disclosure of the identity of the individual except as authorized under sub. (3).
 - c) The library agrees not to disclose the identity of the individual except as authorized under sub. (3).
- 3) A library to which an individual's identity is disclosed under sub. (2) and that is not supported in whole or in part by public funds may disclose that individual's identity to another library for the purpose of borrowing materials for that individual only if the library to which the identity is being disclosed meets at least one of the requirements specified under sub. (2) (a) to (c).
- 4) Upon the request of a custodial parent or guardian of a child who is under the age of 16, a library supported in whole or part by public funds shall disclose to the custodial parent or guardian all library records relating to the use of the library's documents or other materials, resources, or services by that child.
- 5)
 - a) 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 criminal conduct that were produced by a surveillance device under the control of the library.
 - b) 43.30(5)(b)(b) If a library requests the assistance of a law enforcement officer, and the director of the library 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.

Approved by Fitchburg Public Library Board on August 16, 2023