

XX. Privacy Policy:

The Forest Lodge Public Library protects the privacy of library records and the confidentiality of patron use of the library as required by relevant laws. In addition, the Forest Lodge Public Library Board supports intellectual freedom and the principle of freedom of inquiry for library patrons and has adopted this policy to protect against the unwarranted invasion of the personal privacy of library users.

As a member of the Northern Waters Library Network, the Forest Lodge Library recognizes both an ethical and a legal requirement to protect the privacy and confidentiality records of all library users within the consortium.

Rules to be followed by library staff

- (1) As required by this policy and by state law, WI 43.30, library staff may only disclose library records indicating the identity of library users under the following conditions:
 - a) disclosure to staff members of the Forest Lodge Public Library, and the staff of other libraries within the Northern Waters Library Network and other library systems only according to written procedures that comply with state law.
 - b) disclosure as authorized by the individual library user.
 - c) disclosure to custodial parents or guardians of children under the age of 16. [ss. 43.30(4)]
 - d) disclosure pursuant to court order.
 - e) disclosure of library records without a court order will be allowed if someone's life or safety is at risk and the request is made by appropriate individuals or officials.
- (2) Library staff must refer all external requests for library records information about particular library users to the library director or the library director's designee.
- (3) Library staff are not allowed to share personal patron information or information about use of library resources and services by identified library patrons except as necessary for the performance of their job duties and in accordance with procedures approved by the Library Director and/or Board of Trustees.

Handling of court orders

[Note: All search warrants are court orders, but *not* all subpoenas are court orders. Library staff may not disclose library records in response to a subpoena that is not a court order if those records indicate the identity of library users.]

If a law enforcement officer (or anyone else) brings a **subpoena** directing library staff to produce library records:

Subpoena should be directed to the library director. Opportunity to review the subpoena should be requested. If deemed necessary, the subpoena should be reviewed by legal counsel. Should the subpoena contain any legal defects, same should be corrected before library records are released. If appropriate, legal counsel shall be requested to draft a protective order to be submitted to the court for keeping requested information confidential and/or limiting its use to the particular case. Legal counsel's advice for compliance with the subpoena shall be followed.

If law enforcement officers bring a court order in the form of a **search warrant**, it shall be understood that a search warrant is executable immediately and that law enforcement officers may begin a search of library records upon entry of the library with the document. Library staff will cooperate with the search to ensure that only records identified in the warrant are produced and that no other users' records are disclosed. The library director, if not present, shall be informed as soon as possible. The Board of Trustees shall also be informed.

If FBI agents bring a court order in the form of a search warrant issued under the Foreign Intelligence Surveillance Act (FISA) it shall be understood that a search warrant is executable immediately and that law enforcement officers may begin a search of library records upon entry of the library with the document. Library staff will cooperate with the search to ensure that only records identified in the warrant are produced and that no other users' records are disclosed and shall notify Library Director and Board of Trustees as referenced above. It is illegal to disclose to any other person (other than those persons necessary to produce the tangible things sought in the warrant) that the Federal Bureau of Investigation has sought or obtained records or other items under the Foreign Intelligence Surveillance Act (FISA).

Approved: 7/8/2021

Board President: 
Laurie St. Aubin-Whelihan

To be reviewed every 2 years.

Review dates: August 2023