



## Video Recording and Photography Policy

### I. Purpose

This policy addresses the public's right to make audio/video recordings in the Library and the Library's use of digital surveillance and recordings to protect the health, safety, and security of its facilities and occupants. It likewise sets forth limitations on the use of recording devices in the Library, where such use invades reasonable privacy expectations or violates the Library's Standards for Public Behavior.

### II. Definitions

- A. Camera: for the purposes of this policy, "camera" is considered any device capable of capturing/recording images, through digital or traditional means, or via video recording and/or still photography. Examples include cell phones, tablets, video cameras, still cameras, tape recorders, dictaphones, and other recording devices.
- B. Privacy: freedom from unwanted and/or unauthorized interference with or intrusion into personal space; the right to be left alone.
- C. Confidentiality: the state of protecting one's identity or of keeping private sensitive information and/or documents.
- D. First Amendment Audit: the practice of exercising one's constitutional right to record video of a public space and/or public officials.
- E. Limited Public Forum: a designated public setting in which certain activities or rights to free speech are limited.

### III. Policy

#### A. Digital Surveillance

1. The Jeffersonville Township Public Library may use security cameras to monitor Library facilities in the interest of protecting the overall health, safety, and security of Library visitors, employees, property, and resources.
2. Security cameras shall not be placed or used in restrooms, as both employees and visitors have a reasonable expectation of privacy in those locations.
3. The Library director may grant access to active camera views and recordings to employees, as needed, on a limited basis.
  - (a) Recordings and still images may be used for the purpose of enforcement of JTPL policies, the JTPL Standards for Public Behavior, to assist in Human Resources inquiries, and/or in compliance with local, state, or federal laws.
  - (b) The Technology Services Manager shall be responsible for securely storing security recordings and still images.

- (c) Library employees shall not display, share, or reproduce security recordings or still images without the express approval of the director or, when the director is unavailable, the Person-in-Charge.
- 4. Public requests for access to security recordings or still images shall be reviewed and provided as required by the *Indiana Access to Public Records Act*.
- 5. Law enforcement requests for security recordings or still images shall be referred immediately to the director for consideration.
  - (a) Security recordings or still images should not generally be released to law enforcement without a written request, court order, or a subpoena. Exceptions may be made in urgent situations when public health and safety is at stake, or in active criminal investigations not connected to the Library and/or the use of Library services.
  - (b) In consideration of the Library's duty to protect the privacy and confidentiality of Library patrons, the director shall promptly seek legal counsel to determine the Library's duty to comply with a court order.
- 6. Library employees are subject to all Library employment policies, procedures, and guidelines. While the Library's Human Resources department does not actively monitor specific employees on cameras, it may use security recordings or still images to resolve questions regarding grievances, complaints, questions of insubordination, and performance issues.
- 7. Due to file size and the expense of digital storage, security recordings are not stored indefinitely and, therefore, may not be available upon request. The director must approve all requests to preserve recordings indefinitely in anticipation of future security needs or legal use.

#### B. Community Interest Recordings and Photographs

- 1. The Jeffersonville Township Public Library uses video recordings and still photographs to support strategic initiatives, promote events and activities, and to generally increase community awareness.
  - (a) Media Release Forms should be completed by Library patrons depicted in recordings prior to utilizing images for promotional purposes if patron faces are identifiable. A release form only needs to be filled out by each client once, if the patron appears in more than one image.
  - (b) For larger public events, in place of Media Release Forms, a disclaimer will be conspicuously posted informing participants that photographs or recordings may be taken. Participants in attendance may opt out by informing staff, in writing, that they object to having their image used.
- 2. The Jeffersonville Township Public Library generally welcomes news media to observe, record, capture images, and report on public events, activities, and initiatives occurring at the Library.

3. Public requests for recordings or still photographs created and/or taken by Library employees shall be reviewed and handled in accordance with the *Indiana Access to Public Records Act*.

#### C. Patron Recordings

1. Library visitors have the right to record and take photographs on Library property, which is a public space. Employees may remind an individual making a recording that the Library is a limited public forum and explain what is allowed and restricted by the Library Standards for Public Behavior.
  - (a) Library employees should generally not ask visitors to stop recording but may approach the person recording to make that person aware of the Video Recording and Photography Policy and the Library Standards for Public Behavior policy. If an employee receives a patron complaint about an individual choosing to record audio and/or video, the employee will inform the patron that individuals have the right to record in the Library under the First Amendment of the U.S. Constitution, as long as the individual making a recording respects patrons' privacy, personal space, and is not capturing identifying information.
  - (b) Library employees shall enforce the Library Standards for Public Behavior when an individual recording or taking photographs commits a violation, including but not limited to disruptive behavior, infringing on a patron's rights, physical contact, and/or harassment.
2. Library patrons and visitors have the right to make reasonable requests that they or their minor companions not be recorded or photographed while on Library property against their will.

This Policy was approved by the Jeffersonville Township Public Library Board of Trustees on December 19, 2023.