



Sandwich Public Library District *Photo & Recording Policy*

The Library is obligated to ensure information access, patron privacy, and Library service. To fulfill these obligations, it is the policy of the Library to honor state and federal law with respect to photographing, recording, broadcasting, and streaming images of the premises, patrons, and employees while on Library property. For the sake of clarity, all such activity is referred to in this document as "recording".

The Sandwich Public Library District is a public facility and a person's presence may be recorded or become publicly known. Procedures for recordings may differ depending on the purpose of the recording. The Library will allow all recording consistent with its obligations and mission. The Library reserves the right at all times to refuse any recording that will negatively impact safety, patron privacy, employee work conditions, and/or routine Library operations.

Library Recordings of Public Events:

This section addresses protocol for library employees to photograph, record, broadcast, or stream images on Library property.

The library may take photos, videos, and audio recordings at the library and during library events to use in its publicity materials and on its website and social media sites. The library reserves the right to document its services and the public's use of the library building and grounds. These photographs, videos, and audio recordings may be copied, displayed, televised, and published (including on any library web site or social media site).

Any individual that does not wish the library to use a photograph or video of them or their child should inform a library staff member prior to or while such photographs or videos are being taken.

Library Surveillance:

The Sandwich Public Library District facility is under 24-hour video surveillance. Please review our security camera policy for more information on surveillance.

Public Recordings on Library Grounds:

This section addresses concerns related to non-employees photographing, recording and/or broadcasting/streaming images on Library property (whether or not those conducting the stream or making the recording call it a "First Amendment Audit").

Whenever possible, individuals or media outlets who wish to engage in recording on library grounds are requested to contact the Director two business days in advance to make arrangements. No recording will be authorized if its purpose breaches any of the following:

- Library's ethics and/or library mission
- Library's obligation to safeguard patron privacy
- Ensure a respectful environment for Library employees and other members of the public.

Interested parties may call 815-786-8308 x212 or email contact@sandwichpld.org, with ATTN: Director in the subject heading. When contacting the Library with this need, please be ready to discuss what is needed, and how to adapt that need to the Library's ethical and operational priorities, if necessary.

Photographing, filming, and audio recording of Library programming is permitted provided that permission has been granted in advance by the presenter or the owner of any copyrighted material.

Non-commercial Recording:

- Permission is not required for recording in public areas of the library building for personal, non-commercial use if no tripods, lights, or other specialized equipment is used; however, notice is requested and preferred.

Commercial Recording:

- The library may permit use of its facilities for the taking of commercial photographs or videos if the project does not interfere with the mission of the library and is in accordance with the rest of this policy.
- Requests to record in the Library for commercial purposes (movies, advertisements, documentaries) must be confirmed by a contract, based on the project, and may include insurance requirements and indemnification.

Prohibited Recordings

Public recordings may not:

- Compromise a patron or staff member's right to privacy
- Harass, intimidate, or threaten a patron or staff member
- Block library aisles, walkways, doors, or exits
- Impede the comings and goings of patrons or staff to or from the library building.
- Recording of any kind is prohibited in library restrooms at all times.

Recording is prohibited in areas reserved for staff use unless given permission by Director in advance. Record in prohibited areas

Individuals or media outlets who engage in recording without notifying the Library in advance should understand that any recording activity that risks negatively impacting safety, patron privacy, employee work conditions, and/or routine Library operations, or recording activity that is a violation of the Library's Library Service Policy or Patron Conduct Policy, will result in a requirement to immediately cease recording. As with any other ongoing potential violation of Library policy, any individuals or media outlets who do not cease recording after being asked to stop will be told to leave Library property, pending further action under any applicable policy.

Recording Liabilities

Public persons involved in taking photographs or videos are solely liable for any injuries to persons or property that result from their activities on library property. They also have sole responsibility for

obtaining all necessary releases and permissions required by law from persons who can be identified in any photograph or video or for copyrighted materials. The library undertakes no responsibility for obtaining these releases or permissions.

“First Amendment Audits,” Harassing Behavior, and Other Unannounced Recording

The Library recognizes and honors that the public has a right to access information about the Library. This includes being subject to the Freedom of Information Act (“FOIA”) and the Open Meetings Act (“OMA”). To that end, the Library’s website includes policies and Board of Trustees (“the Board”) meeting materials. The public may attend Board meetings and may address the Board during the provided time for public comment.

Further, the Library recognizes and honors that not all journalists are credentialed by formal media outlets, and the public has the right to know about the operations of the Library.

However, the Board also has the right to set the hours and conditions needed to operate the Library. This includes barring any activity that would impact safety, patron privacy, employee work conditions, and/or routine Library operations, or a violation of Library policy. To that end, this policy will be used to promote requests for access to record on the premises, and to address any unauthorized recording on the premises that risks the Library’s mission and obligations.

Policy Adopted by the Board of Trustees: January 14th, 2020

Policy Reviewed/Amended:
August 8th, 2023