

Draft - Lyme Free Library Policy & Protocol on Video Recording in the Library

Purpose

This "Policy & Protocol" will be used by the Lyme Free Library to address non-employees photographing, recording and/or broadcasting/streaming images on library property. The First Amendment does not require the government (public libraries, in this case) to grant access to all those wishing to exercise free speech rights on its property. Federal courts have deemed public libraries to be a "limited public forum," which means public libraries have some discretion to reasonably restrict the exercise of free speech rights in their buildings - especially to the extent that the conduct in question would be disruptive to the other patrons or inconsistent with the library's fundamental mission. Taking photographs and/or recording videos of library staff or patrons without their permission can be prohibited as a matter of library policy.

Policy

As a private, non-governmental Association Library the Lyme Free Library is obligated to ensure information access, patron privacy, and library service. To help fulfill those obligations, it is the policy of the Lyme Free Library to honor state and federal law and policy 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 Library will allow all Recording consistent with its Plan of Service, ethics, orderly operations, 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. Recording is always allowed, without prior discussion and for any reason, in the following areas: Any public area in the Library. Recording is never allowed in the following areas: Behind the Librarian's desk, in storage area of the library, by the computers when patrons are using them.

NOTE: Per the Open Meetings Law, Recording is allowed at all meetings of the Library's Board of Trustees, except for executive sessions. Reasonable restrictions for safety and smooth operations apply.

Protocol

Whenever possible, individuals or media outlets who wish to engage in Recording should contact the Director to arrange, at least five business days in advance, how such Recording can be done without risking a breach of the library's ethics, its obligation to safeguard patron privacy, and to ensure a respectful environment for library employees. This may be done by calling the Library Director at 315-649-5454 or emailing chalib@ncls.org. When contacting the Library with this need, please be ready to discuss what content is needed, and how to adapt that need to the library's ethical and operational priorities, if necessary. Individuals or media outlets who wish to engage in Recording on a more immediate basis, please contact the Director, or their designee working at the time, as soon as possible. This may be done by calling 315-649-5454 or emailing chalib@ncls.org. Just like recording with more notice, those with urgent requests should be ready to discuss what access will meet your needs, and to adapt your needs to the library's ethical and operational priorities, including not being able to grant a same-day request. For individuals or media outlets who wish to engage in Recording without notifying the library in advance, please know that any Recording activity that risks negatively impacting safety, patron privacy, employee work conditions, and/or routine library operations, or a violation of our Code of Conduct, will result in a requirement to cease Recording or to adjust where/how Recording is conducted. As with any other ongoing potential violation of Library policy, any individual or media outlet who, after being asked to stop engaging in Recording, does not cease Recording, will be instructed to leave Library property, pending further action under any applicable policy.

Recording with Permission in the Library (Non-commercial)

Requests to Record in the Library for non-commercial purposes, including but not limited to journalism from credentialed journalists, will be confirmed with this permission whenever time allows:

Thank you for working with the Library to explore recording/streaming/broadcasting in our space ("Recording"). As you know, any Recording in the Library must be conducted safely, without risking a breach of the library's ethics, with attention to its obligation to safeguard patron privacy, and in a way that respects our employees and doesn't disrupt routine operations. To ensure these safeguards, we met on _____, and agreed that you could record in _____ during the hours of _____. You confirmed that the end project will be a non-commercial recording (commercial recordings are subject to additional requirements, including insurance). Thank you so much for your cooperation.

Recording with Permission in the Library (Commercial)

Requests to Record in the Library for commercial purposes (movies, advertisements, documentaries, modelling sessions, etc.), especially if a film crew and/or multiple people will be present, will be confirmed by a contract, based on the project, and includes insurance requirements and indemnification.

The Library recognizes and honors that as a public entity, the public has a right to access information about the Library. To that end, the Library's policies and board materials are on our website, and the public may attend our meetings as required by law.

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, as a private, non-governmental Association Library whose primary purpose is library service, the Library's Board of Trustees also has the right to set the hours and conditions needed to operate the library, and this includes barring any activity that would impact safety, patron privacy, employee work conditions, and/or routine library operations, or a violation of a library policy.

Adopted: