

tacoma public library

Policy Name: Audio and Visual Recording on Library Premises
Adoption Date: January 18, 2023
Supersedes: NA

BACKGROUND

Library facilities and grounds are public spaces, and people may make audio or visual recordings on library premises using their own handheld devices. The purpose of this policy is to set recording guidelines and is meant to encompass any form of recording that can be taken with devices including but not limited to cameras, video or audio recorders, phones, and tablets.

Violations of this policy or, filming or photography that interferes with the business operations of the Library may lead to suspension of filming privileges and/or suspension/exclusion from Library premises. Library staff members may also intervene if filming or photography compromises public safety, or violates any federal, state, or local laws.

The Library is not responsible for, nor endorses the ideas, beliefs, or viewpoints of those privately filming on Library premises.

POLICY INTENT

ACCEPTABLE AREAS FOR FILMING

Patrons are generally permitted to record in public areas of the library. Recording of other patrons is highly discouraged and the Library suggests that those recording, obtain permissions from other users of the library that may appear in the captured images/audio.

Filming on Library premises that require equipment larger than a handheld device must be approved by that location's Neighborhood Services Manager (NSM).

FILMING OF MATERIALS

Filming of Library materials is permitted; however, photographers should be aware of copyright laws and the risk of unauthorized use therein. The same applies to audio captures as well.

Those wishing to film in the Northwest Room must coordinate with the Northwest Room Librarian to arrange a suitable time as special precautions may need to be taken when filming certain forms of older documents.

ALLOWABLE FILMING EQUIPMENT

Approval from the location's NSM is required when using equipment other than handheld devices due to the safety risk they may impose. Examples of such devices include but are not limited to floor-standing tripods, lighting and/or lighting fixtures, and/or dollies.

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NEWS AND OTHER MEDIA

The Library has an open-door policy for news & media photographers/reporters. As a courtesy to TPL, we suggest the media provide advanced notice to the Library's Director(s). Advanced notice is required for News and other media, when recording projects may interrupt public services, require numerous and/or large pieces of equipment, or for events outside of business hours.

FILMING OF OTHER PATRONS

Individuals may not have a reasonable expectation of privacy in public areas of the Library. The Library cannot prevent, nor is it liable for incidental filming or audio captures of others who are using the library at the time of filming. Despite others having no expectation of privacy on public grounds, TPL encourages those filming to ask the permission of those whose images/audio may be captured during the shoot pursuant to RCW 9.73.030.

FILMING OF LIBRARY STAFF

Courts have upheld public servants acting in their capacity as government employees, do not have an expectation of privacy when carrying out their public duties. Courts have also upheld the standard that there is no reasonable expectation of privacy during conversations between government employees conducting public business in public areas.

Recording in the Library shall not monopolize Library workers' time or interfere with the performance of their duties. Individuals interfering with Library business operations are subject to removal from the premises per the Library's Suspension and Exclusion from Premises Policy.

Harassment, as defined in RCW 9A.46.020, of Library employees is not tolerated and may result in legal action against the perpetrator.

AREAS WHERE RECORDING IS PROHIBITED

- Recording in areas that are not open to the public (areas marked "filming not permitted", staff-only areas, and areas where users can reasonably expect privacy such as the restrooms).
- Private recordings of conversations with staff who are not acting within their official public duties require lawful consent as described in RCW 9.73.030

STRATEGIC PLAN ALIGNMENT

This policy supports the following library strategic priorities:

Responsible and Resilient

The goal of this policy supports the strategic priority of being a responsible and resilient community by encouraging a safe environment for all library visitors. TPL welcomes all forms of filming on Library premises as photos and video footage are a great way to encourage accountability and transparency of business operations.

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<p>Equity and Access We are committed to racial equity and social justice. It guides our work in serving Tacoma’s diverse communities, especially the most vulnerable and underserved.</p>		<p>Cultivate and Engage Community We will be the center for connecting people, ideas, and places.</p>
<p>Learning, Creativity, and Innovation We will be the place for learning, discovery, and innovation.</p>	x	<p>Responsible and Resilient We will be an integral partner in a sustainable network that supports a thriving Tacoma.</p>
<p>Investment in Youth We believe that youth are the future and will prioritize services, programs, and partnerships that nurture and develop young minds.</p>		

RELATED DOCUMENTS & LINKS

<p>RCW 9.73.030 - Intercepting, recording, or divulging private communication—Consent required—Exceptions</p>
<p>RCW 9A.46.020 – Harassment Definitions and penalties</p>
<p>TPL’s Exclusion & Suspension from Premises Policy #10.49</p>
<p>TPL’s Library Data Confidentiality Policy #10.23</p>

POLICY HISTORY

Action	Date	Notes
First Draft Devised	July 7, 2022	
TPL Board Adoption	January 18, 2023	