



POLICY: Photography, Videography, and Recording Policy
Responsible Role/Department: Library Safety,
Administration
Approved by: Executive Director; Board of Trustees
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2022/11/16

Photography, Videography, and Recording Policy

Note – in this policy, videography and filming are used to encompass video recording utilizing any form of medium or recording instrument and photography is used to encompass the taking of photos utilizing any form of medium or recording instrument. Film, filming, and filmed will be used to mean the same as video, videoing, and videoed.

Videography and photography are allowed as described below only to the extent that they do not interfere with the mission of Portland Public Library (PPL) or delivery of library services. PPL has a right to regulate behavior in a manner that preserves the individual patron's right to receive information free from harassment, intimidation, or threats to their safety, well-being, and/or privacy rights.

Public library facilities and grounds are defined as limited public forums subject to reasonable time, place, and manner restrictions. Sidewalks around our libraries are traditional public forums, defined as places held in trust of the public to use for free speech and other activities protected by the First Amendment.

PPL is within its rights to limit videography and photography on library premises when such restrictions serve library purposes. Foremost of these is ensuring the right of PPL patrons to acquire knowledge and information freely and confidentially without scrutiny, intimidation, or distraction by others. As is common practice with other public libraries, PPL may video, photograph, or record library-sponsored programs or events at its discretion.

PPL Procedures

1. Third-party photographing, filming, and/or recording of members of the public, members of PPL staff on duty, and public programs (unless permission has been granted in advance by the library) are prohibited. All staff of PPL are authorized to terminate any photography, filming, or recording that appears to compromise the safety, security, and/or enjoyment of its patrons.
2. Any persons filming, photographing, and/or recording on PPL premises have sole responsibility for gaining all necessary releases and permissions from persons who are filmed, photographed, or recorded, if applicable. This includes the filming, photographing, and/or recording of PPL staff.
3. PPL undertakes no responsibility for obtaining these releases for others.
4. Authorizations may be required to film, photograph, and record at PPL facilities as described below. Typically, authorization must be requested from PPL administration, though, in some cases below, authorization must also come from additional parties.
5. Failure to obtain these permissions is failure to comply with PPL's Code of Conduct.

Amateur Photography

1. Casual amateur photography, filming, or recording is permitted in PPL facilities for patrons and visitors wanting a memento of their visit, provided that other library users

are not captured in any such photographs, videos, or recordings without their permission, in accordance with C.R.S. 24-90-119, and Supreme Court decision *Katz v. United States*, 389 U.S. 347. This held that the Fourth Amendment “protects people, not places” and what a person “seeks to preserve as private, even in an area accessible to the public,” may be constitutionally protected.

2. The use of additional equipment such as lighting is not permitted.
3. Photography, filming, or recording of private and “reservation only” events may be done only with the permission of the organization or individual holding the event. It is the sole responsibility of the photographer to obtain that permission

News Media Photography

1. PPL aims to be supportive of news media photographers and reporters who are doing stories or projects that directly involve PPL and its programs with advanced authorization, which is preferred and can be obtained from PPL administration.
2. For non-PPL events and meetings held on library premises, news media photographers and reporters must receive authorization from the presenting group, organization, or individual and from PPL administration. News media photographers and reporters must show PPL administration that they have received such authorization from the presenting group, organization, or individual before authorization from PPL will be granted.
3. PPL does not allow the news media to film, photograph, or record the inside of its facilities as a backdrop for stories or projects that do not relate to PPL itself without prior authorization from PPL administration.

Documentary-type Photography for Publication or Broadcast

1. PPL may permit photography of its premises and activities when the use of the photographs involves the library directly, such as:
 - a. Books
 - b. Articles
 - c. Library-sponsored meetings and events
 - d. Videos about PPL or one of its facilities or services
 - e. PPL’s position in the Portland area as a tourist or learning destination, or
 - f. As part of a piece used to describe our community.
2. Individuals or organizations with a documentary request must obtain authorization in advance from PPL administrative prior to commencing any documentary-related activities.

Commercial Photography

1. PPL does not permit commercial photography on its properties or inside of its facilities without permission of the PPL administration. This includes, but is not limited to: using PPL facilities as a stage set for portraiture, model photography, or product photography; or filming used to advertise goods or services unrelated to PPL for commercial sale or promotion.
2. Fees for using the library as a set may apply in some cases.

Film Industry

1. PPL may permit the use of its facilities for filming-related projects where a library setting is applicable if the project:
 - a. Does not interfere with the mission of PPL

- b. Is in accordance with the rest of this policy, and
 - c. Avoids any relation to political campaigns or to partisan issues.
2. Such projects require the approval of the Executive Director or designee, with all details coordinated in advance with PPL administration and Library Safety
3. Filming may take place only during hours when the building is closed, and all equipment must be removed during operating hours, unless approved otherwise by the Executive Director or designee.
4. Fees for using PPL locations as a set may apply.

Photography for Groups and Non-Library Events in Meeting and Study Rooms

1. Groups, organizations, or individuals holding meetings or events in PPL's meeting and/or study rooms may arrange for news media or photography, filming, or recording during their event with the advanced permission of PPL administration.
2. Photographing, filming, or recording at meetings or events requires the permission of the group, organization, or individual hosting the meeting or event.
3. Photography, filming, or recording at such meetings and events is restricted to the space reserved by the organization, group, or individual and may not take place in other areas.
4. The event organizer must make an announcement at the beginning of the meeting or event that they have allowed photography, filming, and/or audio recording.
5. Any event attendee not wanting to be photographed, filmed, and/or recorded will need to speak with the event organizer.
6. The possibility and allowance or denial of such photography, filming, and/or recording is also covered in the reservation process for the specific library facility. PPL undertakes no responsibility for this decision.

PPL Staff Responsibility

1. Library staff may terminate any photo, video, or recording session that appears to compromise public privacy, safety, or security, or that violates a PPL policy.
2. Library personnel necessary to open, secure, or remain on the premises during any event where filming, photographing, or recording occurs will need to arrange scheduling through their direct supervisors and/or PPL administration.
3. PPL frequently engages in photographing, filming, or recording PPL programs and events, on- and off-site, for its own publicity and promotional purposes.
 - a. Staff may document any activity on behalf of PPL in such a way. When doing so, they will wear a badge identifying their employment and position.
 - b. Members of the public must immediately notify PPL staff members if they do not want to be photographed, filmed, and/or recorded. PPL will ensure signage is posted somewhere outside or within each PPL facility about such possible filming, recording, or photography.