

Red Feather Mountain Library District

Use of Security Cameras and Videography Policy

Research notes for each section of the 2021 RFMLD Use of Security Cameras and Videography Policy:

1. Notes
 - a. Change “security cameras” to “passive surveillance cameras”
 - b. Add verbiage related to individuals using their own devices to film the library building or library users vs. individuals filming library workers
 - c. Change “library property” to “library premises”
 - d. Instead of “inappropriate and/or illegal behavior” change to “security”
2. Notes
 - a. Add the word “library” in front of “policy”
 - b. Spell “confidentiality” correctly
 - c. Library users should not expect to be free from observation; spaces within libraries where users have an expectation of privacy, should be clearly marked as private spaces.
 - d. Courts have upheld the right to record public employees carrying out their duties in public spaces; identify private, staff-only spaces
 - e. user **privacy** is the right to open inquiry without having the subject of one’s interest; **confidentiality** exists when a library is in possession of personally identifiable information about users and keeps that information private on their behalf examined
3. Notes
 - a. Delete space between “unless” & “needed”
 - b. Make “camera” plural
 - c. all surveillance recordings must be kept for a minimum retention of 30 days and be in a format that can be easily accessed for viewing; routine destruction of data as soon as permitted by law
 - d. Maximum retention - 3 years CRS?
 - e. secure location of storage of data and/or media
4. Notes
 - a. Is “relayed” the correct word?
 - b. CRS 24-77-113 The custodian shall **preserve a record of the reason** for which the passive surveillance record was accessed and the person who accessed the passive surveillance record beyond the first anniversary after it
 - c. CRS 24-90-119. Privacy of user records:
 - (1) Except as set forth in subsection (2) of this section, a publicly supported library shall not disclose any record or other information that identifies a person as having requested or obtained specific materials or service or as otherwise having used the library.

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- (2) Records may be disclosed in the following instances:
- (a) When necessary for the reasonable operation of the library;
 - (b) Upon written consent of the user;
 - (c) Pursuant to subpoena, upon court order, or where otherwise required by law;
 - (d) To a custodial parent or legal guardian who has access to a minor's library card or its authorization number for the purpose of accessing by electronic means library records of the minor.
- d. However, when library workers believe that a crime has been committed in the library, the library should contact the police and then use reasonable efforts to preserve any direct evidence of that crime. The library should turn over the evidence to police in accordance with the law, which may require the police to obtain a court order before viewing or copying relevant library records.
- e. It may be a violation of state law to voluntarily disclose surveillance camera images to law enforcement, even if the images do not reveal any person's use of specific library materials or resources.
5. Notes
- a. protocols for posting signs and giving notice about the presence of surveillance equipment
 - b. Policies should inform users whether or not security camera footage is being monitored in real time, and if that footage is retained by the library
6. Notes
- a. Libraries may allow users to film the space but not anyone in it, while other libraries may choose not to allow filming in their space at all.
 - b. Libraries can enforce time, place, and manner restrictions on filming.
 - c. clearly address all forms of videography - events, promotions, security cameras, cameras on computers, face recognition apps on phones

Research Resources:

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[Colorado Statute CRS 24-90-119: Privacy of User Records](#)

<https://www.ala.org/advocacy/intfreedom/privacyconfidentialityqa> III. Security Concerns #24/25/26

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<http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/privacy> - US Constitution 1st and 4th amendment rights

<http://www.ala.org/advocacy/privacy/guidelines>

<http://www.ala.org/advocacy/privacy/checklists>

[CRS 24-72-113 Limit on retention of passive surveillance records-definition](#)

[Surveillance Cameras and Law Enforcement Inquiries](#)

<https://www.ala.org/advocacy/privacy/lawenforcement>

<https://www.ala.org/advocacy/privacy/lawenforcement/guidelines> - Procedures for law enforcement requests for video tapes

<https://www.cde.state.co.us/cdelib/librarydevelopment/publiclibraries/Policies>

[Mesa County - Exemplar of Photography, Videography, and Recording Policy](#)