

## **VIDEO SURVEILLANCE POLICY**

### **1. Purpose**

The Library strives to maintain a safe and secure environment. The purpose of this policy is to define and control the use of video cameras in and around the library. Cameras are to be used for the purpose of the security and effective operation of the Library, its property, staff, and patrons. It is intended to help deter crimes and inappropriate behavior, and to offer evidence for investigation and possible prosecution of such actions.

#### **a. Actions:**

The Library will notify the public, on clearly worded signs, that the Library is under video and audio surveillance so that library visitors have reasonable and adequate warning that the surveillance is or may be in operation.

b. Reasonable efforts are made to safeguard the privacy of patrons and employees while adhering to the Privacy Act and the Freedom of Information Act.

c. Camera locations will not be changed or added without the permission of the Director. Cameras will not be installed in locations where staff and patrons would have a reasonable expectation of privacy, such as restrooms; nor are they positioned to identify a person's reading, viewing, or listening activities in the Library.

d. Library staff will be trained on all policies and procedures related to video and audio surveillance in the library.

**2. State Library Confidentiality Law.** New York State law provides for the protection of certain privacies with respect to users of the library. This law protects the right of citizens to be able to access all information freely at public libraries, but not limited to records related to the circulation of library materials, computer database searches, interlibrary loan transactions, reference queries, requests for photocopies of library materials, title reserve requests, or the use of audio-visual materials, films or records, shall be confidential and shall not be disclosed except that such records may be disclosed to the extent necessary for

the proper operation of such library and shall be disclosed upon request or consent of the user or pursuant to subpoena, court order or where otherwise required by statute.

**3. Definitions: The following definitions shall apply:**

- A. Authorized Staff: Authorized Staff are the Library's Director and Assistant Director.
- B. Court Order: A Court Order is a subpoena or an order issued by a court of competent jurisdiction.
- C. Library Staff: For purposes of this policy only, Library Staff are paid employees engaged in primary library functions, rather than volunteers, contractors, or employees of Newark Village.

**4. Expectation of Privacy. The following shall apply:**

- A. Exterior: The property and building of the Newark Public Library are owned by the Village of Newark. There is no expectation of privacy in any manner on the property outside of the library building.
- B. Interior: Within the building, the following shall apply:
  - a. Communal Spaces. There should be no general expectation of privacy within the Library building's communal spaces, including the Community Room.
  - b. Private Spaces. There shall be an expectation of privacy in spaces as restrooms, enclosed staff offices, storage areas, utility spaces, and meeting rooms.

**5. Video Surveillance Locations:**

- 1. Outside the Building: The Village of Newark has video surveillance on the outer perimeter of the building, which is a separate surveillance system not owned by the library. These cameras may be used to identify people, license plates, and so forth.
- 2. Inside the Building: The library may utilize video and audio surveillance within the interior of the building, excluding the Mason Street hallway.

**6. Access to Digital Images/ Recordings**

**Only the Director and the Assistant Director will have access to:**

- 1. Live footage
- 2. Digital recordings
- 3. Remote viewing

In no event, unless required by an enforceable legal process, shall any video records be released to the media, patrons, or other persons.

If the Library Director is involved in an incident, the Board President may access the digital recordings relevant to the specific situation.

This policy does not imply or guarantee that any or all cameras will record images or monitor in real time for 24 hours a day, seven days a week.

## **7. Use and Disclosure of Digital Images/Recordings**

- Video records and still photographs may be used to identify person(s) responsible for library policy violations, criminal activity on library property, actions considered disruptive to normal library operations, or harmful to the provision of library services. Library safety is always a consideration, and video/audio footage can be used periodically for review.
- Recordings are reviewed by authorized staff to determine if the incident is Police reportable. If the incident is determined to be Police reportable, the Director will make the report.
- Video and audio records may be used to assist law enforcement agencies in accordance with applicable state and federal law upon receipt of an enforceable legal process.
  - Legal process: Law enforcement must provide identification and a court order to authorized staff, citing the specific date, time, and location.
  - Only authorized staff are permitted to release video and audio recordings to law enforcement.

## **8. Active Monitoring.**

There will be no expectation of privacy during active monitoring of video surveillance by the library.

## **9. Retention and Video Data**

Video data will be securely stored and shall be retained for 30 days. Old data will be deleted or overwritten. Retention may be extended as deemed appropriate in special circumstances by Authorized Staff, or by Court Order.

**10. Violations of Policy:**

- A. Staff Violation. Staff violation of this policy may result in disciplinary action ranging from a verbal reprimand up to and including termination.
- B. Public Violations. Anyone other than staff who violates this policy may be warned, be asked to leave the premises, or may lose all library privileges.

*Adopted by the Newark Public Library Board of Trustees August 13, 2015*

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