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Photography and Recording Policy

Adopted on 4/20/26

Purpose

This policy governs photography, audio recording, and video recording on library property, including all interior spaces and exterior areas under library control. It applies to patrons, visitors, media outlets, and third parties. It also establishes the library's opt-in consent process for using photographs or recordings of patrons in library communications and promotional materials.

The library values patron privacy as a core library principle. Patron privacy is also a matter of law. New York Civil Rights Law § 50 prohibits the use of a person's name, portrait, or picture for advertising or trade purposes without written consent. New York CPLR § 4509 protects library records, including any record that reveals a patron's use of library services, as confidential. Both statutes apply when the library photographs or records patrons and shares those images publicly.

This policy is designed to protect those rights, give patrons meaningful control over their own images, and provide library staff with clear guidance for addressing recording by the public.

Definitions

"Recording" means any photograph, video, audio, livestream, or broadcast of the library's premises, patrons, staff, or operations, regardless of the device used or the stated purpose.

"Library communications" means any content the library publishes or shares publicly, including social media posts, newsletters, press releases, websites, grant applications, program announcements, and print materials.

"Minor" means a person under 18 years of age.

Recording by the Public

The library is a public entity. Members of the public generally have the right to photograph or record areas of the library that are open to the public, including the building exterior and common spaces. The library honors this right.

The library also has the authority under New York Education Law to set the hours and conditions necessary to operate the library safely and effectively. The library's board of trustees exercises that authority through this policy.

The library prohibits Recording that:

- captures identifiable images of patrons in service areas, including the reference desk, circulation desk, children's areas, computer stations, or any area where a patron's use of library services could be inferred from the image;
- disrupts library operations or patron access to services;
- compromises the safety or privacy of staff, patrons, or minors;
- violates the library's Code of Conduct policy.

Anyone wishing to record in the library for any purpose is encouraged to contact the library director at least two business days in advance. Contact the director by calling 585-657-6264 or emailing bloomfieldlibrarydirector@owwl.org. Advance notice allows the library to work with the requester to identify how recording can occur without compromising patron privacy or library operations.

For recording requests that arise without advance notice, the person must contact the director or the staff member on duty as soon as possible before beginning to record.

Non-commercial recording, including credentialed journalism, may be permitted with the director's approval. The library confirms permission for non-commercial recording in writing before recording begins.

Commercial recording (including films, advertisements, and documentaries) requires a written agreement with the library. That agreement may include insurance requirements and indemnification provisions, based on the nature of the project.

If a person begins recording without permission in a manner that risks patron privacy, safety, staff work conditions, or library operations, staff will follow the appropriate response protocol.

Library Use of Photographs and Recordings

The library may wish to photograph or record patrons for use in library communications, including program documentation, social media, newsletters, and grant reporting. The library does not photograph, record, or use the image or likeness of any patron in library communications without that patron's written, opt-in consent.

Photographs and Recordings Involving Minors

Consent to photograph or record a minor must be given by a parent or legal guardian. The library does not photograph or record a minor for use in library communications without a signed consent form from a parent or guardian.

When programs include minors, the library notifies parents and guardians in advance that photography or recording may occur, and provides the consent form for their review and signature before the program begins. A minor whose parent or guardian has not returned a signed consent form is not photographed or recorded.

Consent Process

Patron consent to be photographed or recorded for library communications is entirely voluntary and opt-in. No patron is required to consent as a condition of using library services or participating in any program.

The library collects signed consent forms before photographing or recording, not after. The library retains signed consent forms in a secure location for a minimum of seven years, or for the lifetime of a minor's consent plus seven years, whichever is longer.

Patrons may withdraw consent at any time by notifying the library director in writing. Withdrawal of consent applies to future use of the patron's image. The library will make reasonable efforts to remove images from active communications, but withdrawal does not require removal of images already published in archived or printed materials.

Library Security Cameras

The library uses security cameras in and around library facilities to protect the safety of patrons, staff, and library property. Security camera footage is a library record and is subject to the same confidentiality protections as other patron records.

Security cameras are used only for the following purposes:

- monitoring for safety and security threats on library property;
- documenting incidents involving property damage, safety hazards, or violations that require investigation or follow-up;
- supporting law enforcement investigations when legally required.

The library posts notices in all areas where security cameras are in use. Security cameras monitor the exterior of the building in front of, behind, and in the parking area of the library. Internally, there are security cameras that monitor the young adult area, the lobby, front desk and middle gathering space of the library.

Access to footage

Only the library director or a formally designated staff member may access security camera footage. Access is limited to the purposes listed above and follows the principle of minimal disclosure: only the footage necessary for a specific, documented purpose may be reviewed or retained.

The library does not share security camera footage with any person or entity outside the library except in the following circumstances:

- a law enforcement agency presents a valid warrant, subpoena, or court order requiring disclosure;
- a law enforcement agency requests footage in connection with an imminent threat to life or safety, and the director determines that disclosure of the minimum necessary footage is required to address that threat;
- disclosure is otherwise required by law.

Requests for footage from patrons, third parties, or other entities outside the library are declined. Staff who receive such requests refer them to the director. The director consults with the library's attorney before disclosing footage in response to any law enforcement request that is not supported by a warrant or court order.

Documentation

Each instance of footage access or disclosure is documented. Documentation includes the date and time of access, the name of the staff member who accessed the footage, the purpose of the access, and whether any footage was shared outside the library and with whom.

Documentation is maintained in the library's incident log, retained in accordance with the library's records retention schedule.

Retention

Security camera footage that is not relevant to a documented incident is retained for 90 days and then deleted or overwritten.

Review

The board of trustees reviews this policy every five years, consistent with 8 NYCRR § 90.2, or sooner if relevant law or library practice changes materially.

Approved by the Bloomfield Public Library Board of Trustees on 04/20/26.



Bloomfield Public Library Photography and Recording Consent Form

This form provides the library permission to post photos of you or your child in library communications. Please read carefully before signing.

Part 1: Image and Likeness Consent

I give Bloomfield Public Library permission to photograph or record me and to use my name, image, or likeness in library communications. This includes social media, newsletters, the library website, press releases, grant applications, and print materials.

I understand that this permission is voluntary. I may withdraw it at any time by contacting the library director in writing.

Part 2: Library Record Disclosure Consent

I understand that a photograph or recording that shows me at the library, or that can be used to identify me as a library patron, may be considered a confidential library record under New York law. Knowing this, I consent to the library sharing my image in the communications described above, which may disclose that I use library services.

I understand that my image may appear on the library's social media, newsletters, printed program flyers, and reports.

Part 3: Minor Patron (complete this section if the patron is under 18)

I am the parent or legal guardian of the minor named below. I give consent on their behalf for all items in Parts 1 and 2 above.

Minor's Name

Minor's Date of Birth

Consent Signatures

Patron (or parent/guardian if patron is a minor):

Printed Name

Signature

Date

Library Staff Initials: _____ Date: _____

Photography & Recording Policy Staff Response Protocol and Posted Notice

Staff Guidance

The library director is responsible for training staff on this policy before staff are asked to implement it. Training includes:

- how to respond to public recording that implicates patron privacy;
- how to collect and store consent forms;
- how to respond when a patron declines to consent;
- how to handle requests from media outlets.

Libraries are encouraged to conduct role-play exercises so staff can practice responding to recording situations before they arise. See Appendix A for the response script.

Response Script for Unauthorized Recording

When a staff member observes a recording that appears to violate this policy, use the following steps.

Step 1: Identify what is at risk. Select at least one: patron privacy, patron safety, staff work conditions, or routine library operations.

Step 2: Approach calmly and say:

"I work at the library. We're concerned that your recording may be affecting [patron privacy / safety / staff work conditions / library operations]. We do have a process for recording in the library that protects everyone. Can I connect you with the person who can help arrange that?"

If the person agrees, connect them to the director or the staff member on duty.

If the person refuses or continues recording:

"Because this activity violates our policy, I need to ask you to stop recording and, if you're not willing to do that, to leave the library. If you'd like to record here in the future, please contact us in advance."

If the person refuses to leave:

Follow the library's Code of Conduct for removal from the premises.

Do not argue. Do not explain at length. Point to the posted notice if challenged.

Posted Notice

Post this notice at the library entrance and at service desks.

Photography and Recording in the Library

To protect patron privacy and ensure a safe environment for everyone, recording patrons or patron service areas is not permitted during regular library hours.

Anyone wishing to photograph, record, or stream from the library for any purpose is welcome to contact us. Call 585-657-6264 or email bloomfieldlibrarydirector@owwl.org.

The library reserves the right to prohibit any recording that compromises patron privacy, safety, staff work conditions, or library operations.