

Omaha Public Library (OPL) Public Filming, Photography, and Recording Policy

PURPOSE:

The purpose of this policy is to establish the terms and conditions under which the library space may be used for filming, photographing, or recording (hereafter referred to as “recording”) on library property. The federal courts have defined public libraries as a limited public forum. Therefore, constitutional protection is afforded only to those expressive activities that are consistent with the mission and purpose of the library.

OPL patrons have the right to acquire knowledge and information freely and confidentially without scrutiny, intimidation, or distraction by others. In Nebraska, registration, circulation records, and patron accounts are not public records as set forth in Section 84-712.05 (13) Nebraska Revised Statutes. The library limits recording of patrons as outlined in this policy.

All parties involved in recording on library property are required to follow the library’s Code of Conduct.

DEFINITIONS:

A limited public forum is a government-designated space where access is restricted to certain groups or topics of discussion. This means the government can limit who can speak and what they can speak about while still being required to maintain viewpoint neutrality within those restrictions.

POLICY:

Because the library respects patrons’ use of the library and their privacy, The public or members of the media cannot record on library property without the express permission of the people using the library. Capturing identifiable likenesses of individuals or their computer screens, books, documents, or other materials, is not permitted without the written consent of the patron or staff member. The library takes no responsibility for obtaining this consent. If any person to be recorded is under 19 years of age, written permission shall be obtained by the photographer or videographer from a parent or legal guardian on behalf of said minor.

All recording must be carried out so as not to disturb library users or staff. Those recordings cannot block aisles, walkways, stairwells, exits, or access to service desks. Recorders cannot move or relocate library and/or patron property. Patrons shall not be required to relocate or move to accommodate recording.

Recording is prohibited in restrooms, and in non-public areas of the library unless written consent to do so is given by the Library Executive Director.

The library reserves the right to cease recording if it results in a disruption of library use and operations.

Recording library workers: In their capacity as employees, library workers do not have the same privacy rights as library users. Courts have upheld the right to record public employees carrying out their duties in public spaces. However, recording in the library should not monopolize library workers’ time or interfere with the performance of their duties. Recording that interferes with or harasses workers is not permitted.

News media recording: News media photographers and reporters who are doing stories or projects that directly involve the library and its programs, resources, and services must receive advance authorization for

such coverage from the Library's Executive Director, Assistant Director, or Marketing Manager prior to recording.

Amateur recording: Casual amateur recording is permitted in library facilities for patrons and visitors wanting a remembrance of their visit. Amateur recorders cannot film library users without their permission

Commercial recording: OPL does not permit commercial recording on its properties or inside of its facilities without the permission of the Library Executive Director, Assistant Director, or Marketing Manager. This includes, but is not limited to:

- Using the library buildings, grounds, or interiors as a stage set
- Portrait photography
- Model photography
- Product photography
- Advertise goods or services unrelated to the library for commercial sale or promotion

Film industry: OPL will permit the use of its facilities for film-related projects where a library setting is applicable if the project does not interfere with the mission of OPL, is in accordance with the rest of this policy, and avoids any relation to political campaigns or partisan issues. Such projects require the approval of the Library Executive Director or their designee. All details must be coordinated in advance with Library Administration and the Marketing Department. A Location Agreement prepared by the City Law Department is generally required. Recording may take place only during hours when the library is closed. All equipment must be removed during library operating hours unless approved otherwise by the Library Executive Director or their designee.

OPL frequently engages in recording library programs and events, on and off site, for its own publicity and promotional purposes. The library will obtain written permission from anyone included in these recordings prior to their use.

IMPLEMENTATION:

OPL staff and security personnel are responsible for enforcing this policy. They may terminate any recording session that appears to compromise public privacy, safety, or security, or is in violation of OPL's Code of Conduct.

Approved by the Board of Trustees
of the Omaha Public Library, August 20, 2025