

TITLE: Security Camera Policy
POLICY NUMBER: 280
EFFECTIVE DATE: 12/19/23
REVIEW DATE: 4/25
SUPERSEDES: N/A



Article 1. Purpose

The Waukegan Public Library uses security cameras to enhance the safety and security of library users, staff, and property by discouraging violations of the Library Use Policy. This allows library administration to address inappropriate and illegal behavior and activities and allows for redress to the Board of Trustees when applicable. Library administration will provide assistance to law enforcement in the apprehension and prosecution of offenders, while adhering to applicable federal, state, and local law and concerning the confidentiality of library records and protection of individual privacy.

Article 2. Placement Guidelines

Section 2.1 Notice of Camera Use

The Library shall post and maintain signs at all public entrances of the Main Library at 128 N. County St. giving notice that security cameras are in use.

Live footage is not continuously monitored; therefore, patrons and staff should take appropriate precautions for their safety and for the security of their personal property. The Library is not responsible for loss of property or personal injury.

Section 2.2 Camera Locations

Cameras may be installed in outdoor and indoor places where individuals lack a reasonable expectation of privacy. Examples include public common areas, such as parking lots, entrances, seating areas, service desks, collection areas, emergency exits, and areas prone to theft or misconduct, or areas where money is handled or stored.

Under no circumstances shall cameras be located in areas where patrons and/or staff have a reasonable expectation of privacy, such as restrooms.

Section 2.3 Type of Recording

Cameras are used for video surveillance only. Facial recognition software and the recording of audio will be disabled and not used.

Article 3. Privacy

Video surveillance records are not to be used directly or indirectly to identify the activities of individual library patrons except as viewed in relation to a specific event or suspected criminal activity, suspected violation of library policy or incidents where there is reasonable basis to believe a liability claim may be made against the Library.

Authorized individuals may use a still shot or selected portions of recorded data to request law enforcement review for assessing the security risk of a specific individual or for investigating a crime on Library property.

Law enforcement officials or agencies may be provided access to the recorded data pursuant to a subpoena, court order or as permitted by law.

Recorded data will be accorded the same level of confidentiality and protection provided to Library users by Illinois state law and the Library's policies.

Article 4. Storage & Access

Section 4.1 Access to Live Footage

Access to live footage in order to monitor current activity is limited to staff members authorized by the Executive Director and is conducted in non-public areas of the Library. Authorized staff are the Deputy Director, IT Manager, and Safety Monitors. Managers and other staff needed to verify persons or activity will be asked to view specific footage only in the presence of authorized staff.

Section 4.2 Access to Recorded Footage

Access to camera footage to document incidents of injury, criminal activity, or violation of the Library Use Policy is restricted to the Executive Director, IT Manager, Deputy Director and Safety Monitors and is conducted in non-public areas of the Library. The Executive Director may authorize access to staff to the extent required by their job responsibilities. Each user of the surveillance system logs in with unique credentials and access is logged for audit purposes.

The frequency of viewing and the amount of recorded footage viewed will be limited to the minimum needed to give assurance that the system is working or to ascertain if footage is available relative to a specific incident.

Section 4.3 Release of Recorded Footage or Images

No recorded footage or image which show identifiable persons, identifiable Library materials in possession of a Library user, or other readable communication from a Library user to a Library employee shall be released at the request of third parties, such as law enforcement, until the request has been evaluated as provided below:

- All requests for camera footage or images obtained by Waukegan Public Library security cameras will be reviewed by the Executive Director, Deputy Director, or designee, in consultation with legal representation.
- In response to a search warrant, subpoena, or court order, when the Executive Director is unavailable, a member of the Administrative Department authorized by the Executive Director, Deputy Director, or designee will review and determine eligibility for release in consultation with legal representation.
- In exigent circumstances, if all four conditions to an emergency exception to the Library Records Confidentiality Act can be met, recorded footage or images may be released without consulting the attorney.
- In instances when the Library calls the police or files a police report, release of recorded footage or images may be done without consulting our attorney if such images do not include any information protected by the Library Records Confidentiality Act.
- Camera footage or images may also be shared with library insurance representatives when relevant to an insurance claim investigation.
- All requests for disclosure of recorded footage or images, except as stated above for law enforcement or insurance purposes, shall be made in accordance with the Freedom of Information Act, and submitted to the Executive Director. The Director shall review the requested video or images and determine if they contain any information protected by the Library Records Confidentiality Act. As permitted by Section 7(1) of the Freedom of Information Act, when a request is made to inspect or copy recorded images that are exempt from disclosure under the Library Records Confidentiality Act, and contains images that are not exempt, the Library shall attempt to redact the exempt images and make the remaining images available for inspection or copying.

Section 4.4 Unauthorized Access and/or Disclosure

No unauthorized recording of video footage through cell phones, portable devices, or any other means is permitted. Any Library employee who becomes aware of unauthorized disclosure of a video recording and/or a potential privacy breach has a responsibility to immediately inform the Executive Director.

Unauthorized access, exporting, or sharing live or recorded footage surveillance footage by an employee may be grounds for disciplinary action, including termination of employment.

Article 5. Retention of Records

Recorded footage is typically stored until disc capacity has been reached as new footage is recorded. The oldest footage is automatically deleted, however still shots or selected portions of the recorded data relating to specific incidents shall be retained per Records Retention Act or until such time as any legal matters pertaining to the recording have been resolved.

In situations involving banned patrons, stored still images may be shared with staff in restricted staff areas and kept in the Safety Office.

Article 6. Disclaimers

Section 6.1 Disclaimer of Liability

A copy of this policy will be shared with any patron or staff member upon request.

The Library disclaims any liability for use of the video data in accordance with the terms of this policy, given that the Library is a public facility, and the security cameras shall be limited to those areas where patrons and/or staff have no reasonable expectation of privacy.

Section 6.2 Damages & Liability

Any individual using the Library shall be held responsible for willful or accidental damage to the Library's building and collections caused by the individual in accordance with the Library Use Policy.

Article 7. Emergency Release of Information Identifying Individuals Pursuant to Public Act 95-0040

Section 7.1 Illinois Library Records Confidentiality Act

The *Illinois Library Records Confidentiality Act* requires a court order before a library may publicly release information contained in library registration or circulation records. Public Act 95-0040 created an exception to the requirement for a court order if ALL of the following conditions are met:

- The information is requested by a sworn law enforcement officer who states that it is impractical to get a court order as a result of an emergency situation;
- The law enforcement officer states that there is probable cause to believe that there is imminent danger that someone will be physically harmed;
- The information requested is limited to only identifying a suspect, witness, or victim of a crime; and
- The information does not include any registration or circulation records that would indicate materials borrowed, resources reviewed, or services used at the library.

Public Act 95-0040 also provides that "if requested to do so by the library, the requesting law enforcement officer must sign a form acknowledging the receipt of the information. A library providing the information may seek subsequent judicial review to assess compliance with this Section."

Section 7.2 Officer's Request for Confidential Library Information Form

Use this form when an officer has a request for information:

- This is a request under the *Illinois Library Records Confidentiality Act*, 75 ILCS 70/1 (copy attached) for information contained in the Library's registration and/or circulation records.
- My request for information is limited to identifying a "suspect, witness, or victim of a crime."
- As the basis for this request, I represent the following:
 - I am a sworn law enforcement officer.
 - As a result of an emergency where I believe there is imminent danger of physical harm, it is impractical to secure a Court Order for the identification information.
- The information I request relates to the following:

(Description of information sought)

Officer's printed name

Officer's signature

Officer's badge number

Officer's Agency/Department

Date signed

Time signed

OFFICER'S ACKNOWLEDGMENT

I acknowledge receipt from the Library of the information I requested.

Officer's signature

Date signed

(LIBRARY USE ONLY)

Name(s) of Library Staff assisting with the information requested:
