

SECURITY CAMERA POLICY

I. Purpose

A. The purpose of this policy is to establish guidelines for the use of video security cameras, as well as the access and retrieval of recorded video images at the Matheson Memorial Library.

B. The Library Board of Trustees is committed to providing an atmosphere in which people of all ages may utilize Library facilities and resources for intended purposes to the maximum extent possible. Under the provisions of Chapter 43 of the Wisconsin State Statutes, specifically Section 43.52 (2), the Matheson Memorial Library Board of Trustees may enact regulations, create policies, or take actions that serve to ensure the safety of all library staff and patrons, protect the collection and maintain order in the library.

II. Definitions

- A. Security cameras are used where needed to provide peace of mind to library users and staff by discouraging violations of the Library's Code of Conduct Policy, to assist library staff in preventing the occurrence of any violations, and when necessary, to provide law enforcement assistance in prosecuting criminal activity.
- B. Library security cameras record video only. The recording of audio is restricted under the Electronic Communications Privacy Act and will not be used.

III. Use of Security Cameras

- A. Video recording cameras will be used in public spaces of library locations to discourage criminal activity and violations of the Library's Code of Conduct.
- B. Cameras may be installed in outdoor and indoor places where individuals lack a reasonable expectation of privacy. Examples include public common areas of the library such as parking lots, entrances, seating areas, service desks, book stacks, areas prone to theft or misconduct, and areas where money is stored or handled.
- C. Cameras may be installed in areas that could assist Law Enforcement in documenting traffic accidents or other incidents unrelated to the Library that take place on the public streets and surrounding properties within camera view. Examples include cameras on the exterior of a library building that not only document activity on Library property but also the sidewalk, public streets, and surrounding properties.
- D. Cameras will not be installed in areas of the Library where individuals have a reasonable expectation of privacy such as restrooms or private offices.
- E. Notice will not be posted informing the public and staff that security cameras are in use.

- F. Because cameras are not continuously monitored, the public and staff should take appropriate precautions for their safety and for the security of their personal property. Neither the Matheson Memorial Library nor the City of Elkhorn is responsible for loss of property or personal injury.
- G. Recorded data is confidential and secured in controlled areas. Video recordings are typically stored for a limited period of time provided no criminal activity or policy violation has occurred. As new images are recorded, the oldest images will be automatically deleted.
- H. Video footage that is saved for law enforcement purposes will also be saved by the Library for 120 days. Any footage given to the custody of the police department will no longer be under Library control. Footage will consist of the recorded incident, as well as 15 minutes prior, and 15 minutes after said incident.
- I. Regarding the placement and use of the digital recording cameras, staff and patron safety is the first priority; protection of library property is of secondary importance.
- J. Cameras are not installed for, nor will they be used for the purpose of routine staff performance evaluations.

IV. Use of Security Camera Footage

A. The library has video surveillance cameras inside the building that reside on the library's network which may only be accessed by those so authorized by the director for bona fide technical, library, or legal reasons as determined by the State Statutes. Video surveillance data are considered to be protected public library records. State Statutes carefully define law enforcement officials' authority to view surveillance data, and the Matheson Memorial Library will cooperate with law enforcement officials as permitted by Wisconsin Statutes Chapter 43.30(1m); 43.30 (5):

- a. "Records of any library which is in whole or in part supported by public funds, including the records of a public library system, indicating the identity of any individual who borrows or uses the library's documents or other materials, resources, or services may not be disclosed except by court order or to persons acting within the scope of their duties in the administration of the library or library system, to persons authorized by the individual to inspect such records, to custodial parents or guardians of children under the age of 16 under sub. (4), to libraries under subs. (2) and (3), or to law enforcement officers under sub. (5)."
- b. "Upon the request of a law enforcement officer who is investigating criminal conduct alleged to have occurred at a library supported in whole or in part by public funds, the library shall disclose to the law enforcement officer all records pertinent to the alleged criminal conduct that were produced by a surveillance device under the control of the library."
- c. "If a library requests the assistance of a law enforcement officer, and the director of the library determines that records produced by a surveillance device under the control of the library may assist the law enforcement officer to render the requested assistance, the library may disclose the records to the law enforcement officer."

V. Unauthorized Access and/or Disclosure

- A. To the extent that surveillance footage maintained by the Matheson Memorial Library constitutes a "record" under the Wisconsin Public Records Law (Wis. Stat 19.31 –19.39),

the Matheson Memorial Library is prohibited from releasing the surveillance footage pursuant to Wis. Stat. 43.30(1m). Confidentiality and privacy issues prohibit the general public from viewing security camera footage that contains personally identifying information about library users. Recordings shall only be disclosed for the purpose of any investigation into criminal activity. Only the police may review security footage. If the Library receives a request from the general public to inspect security camera footage, the requester(s) will be advised to file a police complaint.

- B. A breach of this policy may result in disciplinary action up to and including dismissal. Any library employee who becomes aware of any unauthorized disclosure of a video recording and/or a potential privacy breach has a responsibility to immediately inform the Library Director of the breach.

VI. Disclaimer of Responsibility

A. A copy of this policy may be shared with any patron or staff member upon request. The policy is also posted on the Matheson Memorial Library's website. Questions from the public may be directed to the Library Director.

B. 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.

References:

- Wisconsin Statutes Chapter 43.30: <http://docs.legis.wisconsin.gov/statutes/statutes/43/30>
- Wisconsin Statutes Section 43.5 <https://docs.legis.wisconsin.gov/statutes/statutes/43/52/2>
- General Records Schedule, Facilities Management and Related Records: <https://publicrecordsboard.wi.gov/Documents/Facilities%20GRS.pdf>
- General Records Schedule, Wisconsin's Public Libraries and Public Library Systems and Related Records: <https://publicrecordsboard.wi.gov/Documents/PUB%20LIB%20GRS%20-FINAL-%206-2017.pdf>