

Sanibel Public Library District

Filming, Photography, and Recording Policy

This policy ensures that filming, photography, and audio recording within the library are conducted in a manner that:

- Protects patron privacy and staff safety
- Preserves an environment conducive to reading, learning, and research
- Complies with Florida law and constitutional privacy principles

The library is a “limited public forum” under federal law, and the library may impose reasonable time, place, and manner restrictions for filming, photography, and recording, and such are permitted only when they:

- Do not disrupt library operations
- Do not interfere with patrons’ access to services, privacy, or quiet enjoyment of the library
- Comply with all library policies, including the [Code of Conduct](#)
- Comply with all applicable laws

Under *Katz v. United States* (389 U.S. 347), the U.S. Supreme Court held that the Fourth Amendment protects people, not places, and applies when a person has a reasonable expectation of privacy. This principle informs the library’s obligation to potentially protect:

- Patron reading choices
- Patron use of computers and digital resources
- Confidential reference interactions

While a public library is a public space, patrons may maintain a reasonable expectation of privacy regarding what they are reading or viewing, their conversations with staff, and their use of library technology.

Florida Statute § 257.261 strictly protects the confidentiality of library user records. This includes materials requested or borrowed, database searches, reference questions, use of library technology. The library prohibits:

- Any recording that captures such information – directly or indirectly
- Recording screens, documents, or materials another patron is using
- Recording staff – patron interactions (e.g., reference interviews) without explicit consent from all parties.

Individuals who film, photograph, or record are solely responsible for obtaining any necessary consent or release forms from persons who may be identifiable in their recordings.

- Florida is a two-party consent state for audio recording (Florida Statute § 934.03). Any audio recording of a conversation requires the consent of all participants.
- The library does not obtain releases on behalf of patrons or content creators.
- Florida law imposes heightened protections for minors in public spaces. Recording minors requires consent from a parent or legal guardian.

In accordance with this policy, the library’s Executive Director or designee is empowered to take necessary actions, including limiting, or prohibiting photography, filming, and audio recording by individuals whose activities disrupt the library environment, compromise public safety, or cause disturbances.

Under no circumstances may members of the public or media take photographs, video recordings, or live streams without explicit written consent from any library patrons or staff prominently featured in such media. The capture of identifiable images of individuals, their computer screens, books, documents, or any

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other materials, including registration and circulation records, is prohibited without written consent. Individuals engaged in photography or filming within the library must respect the requests of patrons and staff who do not wish to be included in photos or recordings.

Failure to comply with this policy is failure to comply with SPLD's [Code of Conduct Policy](#).

Library Policy
Sanibel Public Library District Board of Commissioners
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