DC Public Library Photography Policy

I. Policy Statement
The most significant priority for the District of Columbia Public Library (“DCPL”) is to provide library services to the community, as described in the library’s mission statement. The photography described below is allowed only to the extent that it does not interfere with the provision of library services and is consistent with the library’s mission statement and rules.

This policy statement explains the library’s method for ensuring that all photography done by outside parties on the library’s premises is conducted in an organized manner.

II. Purpose
This policy establishes a comprehensive process and rules that shall be followed by all outside parties wishing to photograph on DCPL property.

III. Definitions
Photography:
Defined as any method involving the taking of photographs, filming, videotaping or any other process of still image or audiovisual capturing in any method used now or in the future that is subject to the United States Copyright Act. (17 USC 101 et. Seq.).

DC Public Library:
▪ Martin Luther King Jr. Memorial Library;
▪ Buildings designated as neighborhood libraries;
▪ Buildings and locations designated as interim libraries;
▪ Bookmobiles and kiosks; and
▪ All other property and facilities assigned to the Library.

Public Area:
For purposes of the photography policy, public areas are defined as areas available to the public where individuals do not have a reasonable expectation of privacy. These areas can include, but may not be limited to, lobbies or vestibules, or meeting rooms. Areas in the library where there is a reasonable expectation of privacy for individuals can include, reading rooms, stacks, exhibition areas, or other areas and/or event areas where photography is prohibited by signage.

Approved by Board of Library Trustees
May 14, 2020
IV. Amateur Photography
Casual amateur photography by patrons and visitors wanting a memento of their visit is permitted in library facilities, including in public areas, so long as additional equipment such as lighting is not used and no other people are photographed without their permission.

V. General Policy Regarding Permission
Permission is not required for photographing public areas, if no tripods, lights or other specialized equipment is used. However, public areas do not include reading rooms, stacks, exhibition areas or other areas and/or events where photographing is prohibited by signage.

For all other photographing, requests for permission must generally be made at least 24 hours prior to photographing. Permission must be requested on weekdays between 9 a.m. and 5 p.m. when the Office of Communication is normally open. Contact information is available at https://www.dclibrary.org/news

VI. Approvals of Requests
The Executive Director, or her/his designee in the Office of Communication, is authorized to grant permission to photograph the interior of library buildings, setting the conditions under which the photographing may take place, or to deny permission. Requests for permission to photograph consider:

- The public interest;
- Statutory requirements;
- The library’s interest;
- The interests of the D.C. Government;
- Issues of confidentiality;
- The need to conserve the time of employees for conducting official business;
- The amount of time each project will consume;
- The need to maintain impartiality among competing photographers; and
- Any other purpose that the Chief Librarian, or her/his designee in the Office of Communication deems to be in the interest of the DC Public Library.

Approved photography and interviews shall usually be limited to two hours or the duration of a space reservation. In addition, the Library’s Office of Communication may terminate any session that appears to compromise public safety or security of people, buildings or collections or that violates library rules/policies. Approval may be contingent upon the availability of a Library staff member to be present throughout the duration of filming.

VII. Exterior Photography
Photographing the exteriors of library buildings or events taking place outside of the library does not require permission from the Library when the photographer is in a public space. The

Approved by Board of Library Trustees
May 14, 2020
photographer should obtain a public space photography permit from the DC Office of Cable Television, Film, Music and Entertainment at https://entertainment.dc.gov/page/film-permits

VIII. Media Requests

Media representatives must obtain approval from the Chief Librarian and/or Executive Director, or her/his designee in the Office of Communication. While the DC Public Library has an open door policy for news media, photographers and reporters, whose stories directly involve DCPL’s programs, resources, collections, and services, obtaining advance permission is extremely important to:

▪ Safeguard the Library’s collections;
▪ Protect the safety and confidentiality of those using library facilities;
▪ Ensure library business is conducted without disruption; and
▪ Ensure that the library’s users are not disturbed.

Using library facilities as interview venues for stories not directly related to the DC Public Library and its services as well as photographing library patrons for opinion polls or “man on the street” interviews requires permission from the Director of Communications. Additionally, any media wishing to photograph library patrons must also gain any necessary written waivers, releases, permissions and the like from any and all library patrons hoping to photograph, pursuant to §XVII (Photographic Releases) of this document.

IX. Research Photography

Research photography of the library’s materials and resources is permitted within certain limitations on a case-by-case basis.

X. Nonprofit, Academic or Research Projects

Photographers working on nonprofit, academic, or research projects must secure authorization in advance to avoid disrupting library operations.

Researchers and journalists are responsible for obtaining their own permissions when photographing copyrighted material in the library. Additional permissions must be obtained from the Director of Special Collections to photograph materials or items in Special Collections because of complex copyright issues in these areas. Discussing what advance authorizations are required with a Special Collections staff member can expedite this process.

XI. Photography for Groups and Non-Library Events in the Conference Center or Meeting Facilities

Groups arranging meetings in Library meeting facilities, whether from renting or using a space for a public meeting, may arrange for private photographers and news media during their event. Photography for such events is restricted to the space reserved by the group and may not take place in other areas of the Library without permission. When exercising this option,
the Manager of the requested library facility shall inform the Office of Communications prior to
the event or meeting.

Groups renting or leasing Library space for private meetings or events in Library facilities may
restrict photographers and news media from their event. When exercising this option, the
Executive Director's Office or their designee in the Office of Communications shall be informed.
Photography for such events is restricted to the space used by the group and may not take
place in other areas of the Library without permission from the Executive Director's Office or
their designee in the Office of Communications.

Groups using Library space for other activities under a short-term lease or usage agreement
may grant or restrict photographers and news media from their event. When exercising this
option, the lease or usage agreement shall specify how private photographers and news media
access will be managed and the Executive Director's Office or their designee in the Office of
Communications shall be informed. Photography for such relationships is restricted to the
space used by the group and may not take place in other areas of the Library without
permission from the Executive Director's Office or their designee in the Office of
Communications.

XII. Photography for Organizations that have Entered into Third Party Agreements that Involve
Library Partnerships

Groups or organizations that have developed partnership agreements with the Library, may
secure or restrict photographers and news media from the spaces used to further their
agreement with the Library. Each organization's Library partnership agreement shall specify
how private photographers and news media access will be authorized by the Library's Office of
Communications.

Photography for partnerships is restricted to the space used by the group and may not take
place in other areas of the Library without permission from the Executive Director's Office or
their designee in the Office of Communications. In addition, posting on social media or any
other media platform and or capturing images of library patrons, program attendees, and/or
Library staff is also prohibited without authorization from the Office of Communications.

XIII. Photography for Individuals Enrolled in a Library Class or Program

Individuals who are enrolled in a Library class or program must obtain permission before
photographing other people in the Library. Photography may not take place in areas of the
Library not related to that specific class or program without permission from the Office of
Communication’s Director and/or Designee.
XIV. Commercial Photography

Library buildings may not be used as setting for a creative film or videotape, advertisements, fashion shoots or for any other photography which will be used for commercial purposes without the prior approval from the Executive Director's Office, or their designee in the Office of Communication.

XV. Movie Industry

The Library may permit use of its facilities by the movie or music industry for film projects where a library setting is called for, if the project does not interfere with the mission of the DC Public Library, is in accordance with the rest of this policy and does not advertise or promote commercial products. Filming may not be related to political campaigns or to partisan issues, because the DC Public Library wishes to avoid any appearance, no matter how slight, of impropriety or impression of political preference. Such filming may take place only during the hours when the library is closed, and all equipment must be removed during the library’s operating hours. The production company shall compensate the Library for staffing expenses necessary to open, secure, and monitor library premises during a shoot.

XVI. Library Photography

The Library may engage in photographing and recording library spaces, programs and events for its own publicity and promotional purposes. Library staff will notify members of the public when photography is taking place and, when appropriate, obtain photography releases. Members of the public may decline to participate in photography.

XVII. Library Liability for Injuries/Indemnification

Photographers agree to defend, indemnify and hold harmless the District, its officers, agencies, departments, agents, and employees (collectively the “District”) from and against any and all claims, losses, liabilities, penalties, fines, forfeitures, demands, causes of action, suits, costs and expenses incidental thereto (including cost of defense and attorney’s fees), resulting from, arising out of, or in any way connected to activities or work performed by the Photographer, the Photographer’s officers, employees, agents, servants, subcontractors, or any other person acting for or by permission of the Photographer in performance of the activities approved by the DCPL that the Photographer is performing. The Photographer assumes all risks for direct and indirect damages or injury to the property or persons used or employed in the performance of the Photography. The Photographer shall also repair or replace any District property that is damaged by the Photographer, the Photographer’s officers, employees, agents, servants, subcontractors, or any other person acting for or by permission of the Photographer while performing work hereunder. The duty to indemnify covers any claim against the District for its alleged failure to monitor or supervise the Photographer where the underlying claim arises from the conduct, action, or omission of the Photographer, the Photographer’s officers, employees, agents, servants, sub-contractor, or any other person acting for or by permission of the Photographer in performance of the photography.

Approved by Board of Library Trustees
May 14, 2020
The indemnification obligation under this section shall not be limited by the existence of any insurance policy or by any limitation on the amount or type of damages, compensation or benefits payable by or for the Photographer, and shall survive the termination of the photography privileges granted by the DCPL. The District agrees to give Photographer written notice of any claim of indemnity under this section. The Photographer shall also have the right and sole authority to control the defense or settlement of such claim, provided that no contribution or action by the District is required in connection with the settlement. Monies due or to become due to the Photographer under the privileges granted or agreement entered into with DCPL may be retained by the District as necessary to satisfy any outstanding claim which the District may have against the Photographer.

XVIII. Photographic Releases

Photographers filming or photographing on Library premises have sole responsibility for gaining all necessary releases and permissions from persons who can be identified in any photography. The Library undertakes no responsibility for obtaining these releases.

Effective Date

This policy is effective on this _____ day of May 2020

Authorizing Signature: ______________________________

Legal Sufficiency: ______________________________

______________________________
Richard Reyes-Gavilan
DCPL, Executive Director

______________________________
Grace Perry-Gaiter
DCPL, General Counsel