

PERSONNEL BOARD OF JEFFERSON COUNTY

POLICY ON AUDIO AND VIDEO RECORDING OF PUBLIC MEETINGS AND PROCEEDINGS

As a public governmental entity, the Personnel Board of Jefferson County conducts its business meetings in public, in accordance with the Alabama Open Meetings Act, Ala. Code § 36-25A-1, *et seq.* In addition, under the PBJC's Enabling Legislation, the PBJC and its hearing officers are required to conduct certain disciplinary hearings in public.

Section 6 of the Open Meetings Act provides:

“A meeting of a governmental body, except while in executive session, may be openly recorded by any person in attendance by means of a tape recorder or any other means of sonic, photographic, or video reproduction provided the recording does not disrupt the conduct of the meeting. The governmental body may adopt reasonable rules for the implementation of this section.”

This policy is intended to implement and comply with the last sentence of this section of the Act.

As a general matter, PBJC does not prohibit individuals present at meetings and disciplinary hearings from making audio or video recordings of the proceedings. All such recording must be conducted openly. In certain circumstances, however, recording may be prohibited or subjected to appropriate conditions.

To ensure that any audio or video recording is conducted “openly,” any person making an audio or video recording must inform the Chairman, Hearing Officer, or other presiding officer before commencing recording. The presiding officer at the meeting or hearing may require that the individual making the recording do so in a manner that does not unduly disrupt or distract from the proceedings. As an example, the presiding officer may order that the individual making the recording remain stationary in the rear of the meeting or hearing room, and/or may require that any set-up or take-down of the recording equipment occur before or after the proceedings.

In circumstances where the further publication, dissemination or broadcasting of the audio or video recording could bring undue publicity, scandal, or disrepute to any person, or where private personally identifying information will be revealed or discussed, the presiding officer may temporarily halt or prohibit audio or video recording.

In all circumstances, the official record of the public meeting or hearing shall be the official minutes, resolutions, orders, transcripts, and other recordings kept and maintained by the PBJC and its staff in accordance with Section 4 of the Open Meetings Act.

Finally, any individual making an audio or video recording is responsible for his or her own actions in connection with the recording and any subsequent actions taken in connection with the record. The PBJC shall not be liable or responsible for any legal consequences arising out of any further transmission, duplication, or publication of any such audio or video record. The PBJC expressly disclaims any legal liability that may be imposed upon any person arising out of any publication, dissemination or broadcasting of the audio or video recording.