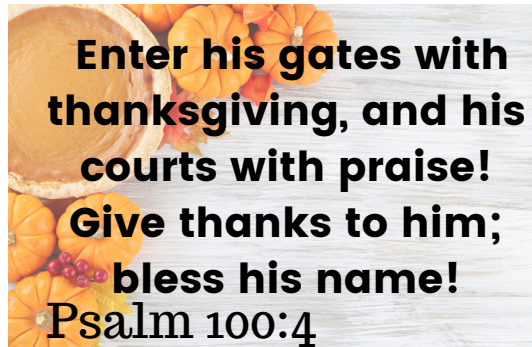




THE LEGAL ADVISOR

The official newsletter of Scranton Road Legal Clinic



What rights do you have to record video?

Written by Michael Meaney, Legal Extern

In the age of social media, the right to record video in public has become a major point of contention. The right to record video is one of the many rights that the first amendment provides. However, like most constitutional rights, there are some limitations. Ohio is a single consent state, meaning that the consent of only one individual in a video is needed. This can easily be satisfied as long as you are a participant in the recorded conversation. It is illegal to record video where individuals have a complete expectation of privacy, such as in changing rooms or restrooms.

Exceptions are made to the consent rule where there is no reasonable expectation of privacy, such as a public park or government building. Taking videos or photographs of things that are plainly visible in public spaces is a constitutional right protected by freedom of the press. Therefore, police interactions that occur in public are always subject to be recorded, so long as the individual does not interfere with the officer's ability to carry out his duties.

Private businesses are free to object to your recording at any time for any reason. For example, a grocery store or restaurant may ask you to leave and hold you as a trespasser if you do not comply. However, they may not force you to delete the recording that you have already made, as long as one party was a willing participant in the recorded video.

A business has a right to turn you away and hold you as a trespasser for any reason, which is why you cannot always record there. The same applies to a private home, you can always kick a person out of your home if they are recording. Since Ohio is a one-party consent state, you only need to be part of the conversation for a recording to be lawful. You are free to object to someone recording you against your will, but they are not required to stop unless it is in a space where there is a high expectation of privacy, such as a locker room or bathroom.

In sum, if someone is recording you without your consent, there is not much recourse under Ohio law. As long as the recording individual is adding to the conversation, this qualifies as consent for all people being recorded. You are free to verbally object, but they may continue to record. Like a private business, you always have the right to hold an individual as a trespasser if they are recording in your home against your will.

Common Scams During the Holidays

When shopping this holiday season watch out for scammers. Any deal that seems too good to be true, likely is, and may also be a scam trying to take your money and your personal information. Two common scams during the holidays are

- **Failed Delivery Scams** are when a buyer pays for goods or services they find online, but those items are never received.
- **Failed Payment Scams** are when people sell things online and deliver the items but the scammer never pays for them.

Some tips to avoid scams this year are below.

1. Avoid clicking links or attachments in emails, texts, or messages online.
2. Be wary when you are asked to verify, change, or edit your password or personal information from a text, email, phone call or message. Instead, call the company directly.
3. Never wire money or share your bank information with strangers
4. Do not buy gift cards and give the information to anyone virtually whom you don't know
5. Try to use a credit card with purchase protection if possible and check your statements regularly. Report fraud as soon as you identify it or think something might be suspicious.
6. Check each website's URL to make sure it's legitimate and secure. A site you're buying from should have https in the web address. If it doesn't, don't enter your information.
7. Stick to sights you know and if it feels fake, it probably, is.
8. Avoid buying items from ads, or links that take you to an unknown site or application

Legal Speak 101

Default judgement: A default judgment occurs when the defendant in a legal case fails to respond to a court summons or does not appear in court. If this occurs, a court may rule in favor of the plaintiff by default. This means that you if you receive information or are summons to court you must reply immediately to make sure you preserve your legal rights!

UNUSUAL LAWS

Strange Laws Around the US - Montana

- Raising rats is prohibited
- It is illegal in Helena, Montana to annoy people on sidewalks with a revolving sprinkler.
- It is illegal to throw pop bottles on the ground.



**IN-PERSON FAMILY LAW ADVICE CLINIC/WORKSHOP CONTINUES IN 2022!
CONTACT US AT 216.861.5323 TO SIGN UP NOW! SPACE IS LIMITED.
Also, check out our self-study workshops on our website!**

Formed in 2012, Scranton Road Legal Clinic educates and empowers our neighbors to make educated and prudent legal decisions, while providing the holistic support for the spiritual, emotional and relational problems that often accompany legal concerns. We offer brief advice via our brief advice telephone line at 216.861.5323 or via our online intake form at www.scrantonroadministries.org/legal. Contact us today to discuss your legal need.