

YOUR HOME PUBLIC LIBRARY POLICY

Policy #: 400-8

Effective Date: 02/10/2014
Modified: 6/12/2017

OPERATIONS Disruptive Behavior

STATEMENT: Your Home Public Library will follow a policy for disruptive behavior.

PURPOSE: To put down in writing the policy governing disruptive behavior in Your Home Public Library.

POLICY:

1. No person shall engage in inappropriate conduct on the premises of Your Home Public Library or when participating in library programs. "Library premises" include the interior of the library's facility, as well as the porch, foyer entry, sidewalks, library parking area and lawn.
2. Inappropriate conduct shall include any individual or group activity that is disruptive to other persons who are lawfully using the library premises or any behavior otherwise inconsistent with the activities normally associated with a public library. In general, behavior that violates the law, behavior that interferes with the use and enjoyment of the library by others, and behavior that interferes with library employees in the performance of their duties is prohibited.
3. Library users are required to observe the Code of Conduct (Attachment A) and all Code and policies governing the use of Your Home Public Library. If a person defies an order personally communicated by an authorized library employee not to enter the library or not to remain in the library for failure to comply with the library's Code or policies, said person is subject to arrest for trespass (New York State Penal Law, Section 140.05).

Support of Staff Members' Actions

1. Library staff members who have acted on their best judgment in confronting a person will be supported by their supervisor and the library board.
2. Any staff member who observes or receives complaints of inappropriate behavior may:
 - a. Handle the problem directly with the patron. Staff should use judgment as to whether the situation requires assistance from another staff member.
 - b. Call for police support immediately if the situation appears to be potentially violent or an emergency.
 - c. Ask the senior staff person present to assess the situation and make a decision as to how it should be handled.
 - d. Decide to contact the police if the offending person(s) will not conform to the Code of Conduct and the request of the staff to do so.
3. In all cases, the supervising staff person who is present should be kept informed of the situation and should oversee the documentation of the situation as well as its satisfactory resolution.

Incident Reports

1. Incident reports (Attachment B) should be filed in all cases when it is necessary to confront someone who is involved in violation of the Code of Conduct or engaging in any other inappropriate behavior.
2. Incident reports will be used to document security or safety issues as well as to monitor on-going problems on library property. They should be filled out as completely as possible and should include any information that might be helpful to resolve the situation.

INAPPROPRIATE CONDUCT – MINOR VIOLATIONS

1. Staff members are empowered to determine the severity of the violations that they observe. If a violation is considered "minor" – i.e. if there is no immediate threat of damage to the library's facility, collection or furnishings, or danger to staff or patrons– the following steps will be taken:
 - a. Serve a patron with one warning, either verbally and in writing by using the Code of Conduct (Attachment A), to notify him/her that he/she is in violation of the Code of Conduct.
 - b. If the person persists with the behavior for which he/she has been notified, he/she will be asked to leave the premises. If the person leaves as asked, he or she will be banned from the premises for the rest of the day. (A staff person *may* extend the ban up to a week, if the situation warrants. The person should be verbally notified at the time of his/her ejection from the library and all staff should receive written notice of the situation.)

- c. If the person does not comply with the request to leave the premises, the police will be called. If this step is necessary the incident becomes a *major violation* and the offending person will be banned from the library for thirty (30) days per procedures below.
2. In any case, an incident report must be filed describing the situation and any staff actions that have been taken.

INAPPROPRIATE CONDUCT – MAJOR VIOLATIONS

1. If a staff member observes a person involved in a significantly serious violation of library Code, he or she will proceed as follows. A “significantly serious violation” of the Code of Conduct may include– but is not limited to – theft, vandalism, harassment, threats, criminal activity, or violent or dangerously reckless behavior.
 - a. The police will be called immediately.
 - b. The patron may be banned from the library premises for a period of thirty (30) days to six (6) months at the discretion of the Library Director, depending on the nature of the offense, the extent of damage or disruption that was caused, and the history of prior violations.
 - c. An incident report must be filed with all pertinent information.

BANNING

A patron may be banned from the library premises under the circumstances described above.

Extended banning process

If a patron commits a serious violation and banning of thirty (30) days or more is being considered, the following procedures will be followed:

1. The Library Director will review the incident report as well as interview any staff members who were involved with the situation.
2. The Director, or the staff person designated to act on the part of the Director in his/her absence, will provide a written decision regarding the banning within one (1) business day of the violation.
3. The written decision will set forth the period during which the patron will be banned from the library and will specify the reasons for the determination. The patron may be banned for a serious violation for thirty (30) days up to six (6) months.
4. The patron and all staff will be notified in writing of the reasons for and the length of banning. A copy will also be sent to the Johnson City Police Department and the Library Board President.
5. The Director may review or reconsider the decision and may shorten or terminate the banning period if information submitted by the patron or staff merits such modification. If such a decision is made, both the staff and the patron will be notified in writing.

REPEAT OFFENDERS

Any person who persists in violating the Code of Conduct – including what may be considered a minor offense – may be considered to be subject to extended banning of thirty (30) days or more as deemed appropriate by the Director. The same procedures for extended banning of thirty (30) days or more described above will be followed.

Any person who enters or remains on library premises after having been notified of a period of banning by an authorized individual will be subject to arrest and prosecution for trespassing. This may be considered to be grounds for permanent banning of the individual.

PERMANENT BANNING

In the event that a person regains access to the library after a major violation and banning -- and then repeats that activity, he or she may be permanently banned from the library premises.

1. The Library Director and Library Board will review the incident report and staff statements at the next Library Board meeting.
2. After discussion with the Library Board, the Director will provide a written decision regarding the permanent banning as soon as possible after the repeat offense.
3. The written decision will state that the patron will be permanently banned from the library and will specify the reasons for the determination.
4. The patron and all staff will be notified in writing of the permanent banning. A copy will also be sent to the Johnson City Police Department and the Library Board President.

Adopted at the 02/10/2014 Your Home Public Library Board Meeting.

YOUR HOME PUBLIC LIBRARY
CODE OF CONDUCT
Attachment A

Recognizing the need to maintain an environment suitable for studying, reading, browsing and the general use of library resources, the Library Board establishes Code and procedures to assure the safety of library users, library personnel, and library materials, equipment and furnishings; and to assure that the use of the library is not obstructed by inappropriate behavior or actions.

Library patrons are expected to follow all library Code and policies including this Code of Conduct. Entering the library implies agreement to abide by these Code and policies while in the library. Failure to do so may result in expulsion from the Library and/or loss of Library privileges. A person who defies an authorized library employee not to enter the library or not to remain in the library for failure to comply with the library's Code and policies is subject to arrest for trespass (New York State Penal Law, Section 140.05)

The following Code is to be observed:

1. Eating or drinking is not allowed in the library.
2. Use or exchange of tobacco, alcohol or illegal substances is prohibited.
3. Pursuant to New York State Public Health Law Section 1399-0, smoking is prohibited in libraries.
4. The ban on smoking includes no smoking of substitutes such as e-cigarettes, vapor or similar products.
5. Animals are not permitted in the library, with the exception of service animals or those authorized by prior arrangement.
6. Appropriate dress, including shoes and shirts must be worn in the library.
7. Bicycles are not allowed in the library. Bicycles may be chained to the front porch or the side railing of the ramp. The library assumes no liability for damage or theft.
8. Use of roller blades and skateboards is prohibited on library grounds.
9. Selling, advertising, petitioning or soliciting for contributions is prohibited, except as authorized.
10. Conduct which violates the criminal laws of the United States, the State of New York, and the County of Broome, the Town of Union or the Village of Johnson City may result in suspension or revocation of the violator's access to the library's premises.
11. Disruptive behavior is prohibited. Disruptive behavior consists of actions which are illegal, or which infringe upon the rights of others using the library and/or disturb the tranquility of the library, or the proper activities of its staff and patrons. Disruptive behavior includes but is not limited to the following:
 - a. Lewd behavior or sexual misconduct including exposure, offensive touching or sexual harassment of other patrons or staff.
 - b. Any behavior involving an unwilling person or inappropriate or indecent behavior with a child.
 - c. Behavior that makes it impossible for another patron to continue using the library.
 - d. Loud or boisterous behavior including loud talking, shouting, running or fighting.
 - e. Misuse of library property.
 - f. Profane, obscene or offensive language directed at another person.
 - g. Use of radios, stereos, video games, etc. without earphones.
 - h. Use of cell phones outside of the designated areas.
 - i. Verbal harassment of staff or patrons.
 - j. Interference with library operations or other patrons' use of the facilities through extremely poor personal hygiene.
 - k. Any action which willfully annoys another person.
12. Illegal activity will be reported to the proper authorities immediately. A person demonstrating disruptive behavior will be instructed by library staff to discontinue the behavior. If the behavior continues, the person will be instructed to leave the library. If a person so instructed does not leave within a reasonable amount of time, the staff will contact the proper authorities. Any serious incident involving a child will be reported to the child's parent or legal guardian, who will also be informed of any action taken by the library.
13. The library is not responsible for the loss or theft of personal belongings of patrons.

A person not abiding by the Code of Conduct will receive one warning. Those continuing to disregard the Code of Conduct, after being warned, will be asked to immediately leave the building for the remainder of the day.

Anyone asked to leave, is welcome to return the next day without consequence. However, a person who has been asked to leave, who returns and continues to violate the Code of Conduct, may be barred from future library use. The amount of time will be determined by the Library Director.