

**POLICY: PATRON CODE OF CONDUCT****Approved: November 9, 2010****Revised: July 26, 2022**

The Webster County Library (WCL) is committed to providing a safe and positive library experience for everyone. To maintain a welcoming environment for all, library users are expected to:

Respect each other, library staff, and library property;

Do their part to contribute to a peaceful library experience;

Follow instructions from library staff members;

Be engaged in activities associated with the use of a public library, namely reading; studying; using library materials or technology; asking reference questions; or attending an authorized meeting, program, or event; and

Follow the Patron Code of Conduct, library policies and all local, state, and federal laws.

**CODE OF CONDUCT**

The following activities are examples of behavior prohibited in WCL facilities and on library grounds. This list is not intended to be inclusive of every prohibited activity or behavior but is provided as a guide. Library staff will intervene to stop prohibited activities and behaviors. Failure to comply with this and any other established WCL policy could result in restriction of library privileges, immediate removal from the premises, or exclusion from the library for a defined period of time (typically from one day to one year).

**Disruptive or Unsafe Behavior**

Creating a disturbance in any manner that interferes with people's ability to use the library or staff's ability to do their job.

Neglecting to provide appropriate supervision to juveniles or individuals who are unable to follow library rules or look after themselves independently.

Speaking in an abusive, threatening, profane or harassing manner to other library users or to staff.

Making threatening gestures, including prolonged staring at an individual, stalking behavior, unwanted touching, or any behavior that could constitute fighting or assault.

Speaking loudly, including on cell phones, or listening to music or videos without headphones. Cell phone ringtones/notifications should be set to silent. Sound from headphones must not disturb others.

Sleeping in the library for any extended period of time.

No food is allowed unless consumed during a library-sponsored program or scheduled meeting room use. Covered drinks are allowed except near library technology.

Not being fully clothed including shirts and shoes.

Emitting strong odors that interfere with or disrupt others using library spaces.

Openly carrying a weapon unless authorized by law. **OR** Possession of a weapon, except as permitted by law, or exhibiting any item in a threatening manner is not permitted.

#### Inappropriate or Unsafe Use of Space

Blocking aisles, pathways or entrances or otherwise preventing access to areas of the library.

Bringing amounts of personal belongings into the library beyond what fits under a chair; leaving belongings unattended.

Bringing any animal into the library except a service animal as defined by the Americans with Disabilities Act (ADA) or an animal that is used as part of a library program. Service animals must be under the control of their handlers at all times.

Entering non-public or locked areas of the library, unless accompanied by a staff member or through prior authorization from a staff member.

Using restrooms for bathing or shaving, or soiling restroom surfaces.

Riding on skateboards, scooters, or skates in the library or on library grounds; bringing bicycles inside.

Failing to follow guidelines for use of meeting rooms.

#### Illegal or Prohibited Activities

Viewing online materials deemed obscene, viewing child pornography, or exposing a minor to pornography.

Engaging in sexual misconduct, such as indecent exposure, or touching or harassing patrons or staff. Sexual acts of any type are not permitted.

Using tobacco or smoking cigarettes or e-cigarettes inside the library or within 25 feet of library entrances; consuming alcohol or marijuana; possessing or using illegal drugs; or being intoxicated or under the influence of drugs.

Defacing, damaging, or destroying library materials or property.

Tampering with or stealing library materials, software, or equipment; failure to follow established computer and internet use policies and guidelines.

Using another person's library card without prior permission on file.

Soliciting, campaigning, distributing, or selling materials, or panhandling on library property.

Gambling in any form.

The library reserves the right to modify these rules at any time.

### Consequences

Consequences for violation of the Webster County Library Code of Conduct or the commission of illegal conduct in the library may include:

*Verbal and/or written warning.* Library staff, preferably the library Director or other supervisory personnel, will advise the individual of the applicable rule and violation verbally and, if warranted, in writing, and if reasonably possible, afford the individual with an opportunity to address the alleged violation before implementing a further consequence.

*Suspension of library privileges including instruction to leave the library immediately and not to return to any WCL facility for the rest of the day.* This consequence may be implemented in the case of repeat violations after one or more warnings, or violations requiring immediate action, in consideration of the severity of the violation as determined by the Director, or Director's designee.

*Suspension of library privileges, including removal from, and denial of access to, all in-person library services, facilities and grounds for a period ranging from more than one day to one year.* This consequence may be implemented in the case of repeat violations after one or more warnings, or violations requiring immediate action, in consideration of the severity of the violation, where a one day suspension is inadequate, as determined by the Director, or Director's designee. Where the suspension is to be implemented system-wide for all WCL library facilities, the official trespass procedures below shall be followed.

*Permanent suspension of library privileges.* In extreme cases involving illegal behavior or repeated suspensions with no positive change in behavior. In the case of repeat, continuing or serious violations, or entering library premises after a denial of access, the WCL Director or supervisor may notify law enforcement and request removal from library premises or other action. To the extent applicable, the official trespass procedures below shall be followed.

Guardians of minors will be notified of any consequence except that such notification shall not be required for a verbal warning.

### Right of Appeal

Individuals may request, in writing, a review of a suspension of privileges or trespass. The written appeal must be received at the following address within thirty (30) days of the suspension or trespass issue date: Webster County Library, ATTN: Director, PO Box 89, Marshfield, MO 65706

The appeal must include a mailing or email address at which WCL may correspond with the individual making the appeal. The Director or Director's designee(s) will review timely filed appeals, afford the individual a telephone hearing, and will respond in writing within thirty (30) days of the receipt of the appeal. The Director or Director's designee shall have the power to affirm, reverse or modify the loss of privileges or trespass. Such decision will be final except as hereinafter set forth. If the initial decision is upheld by the Director or Director's designee, then for any suspension of privileges or trespass extending for a period of more than thirty (30) days, an individual may request, in writing, a review of the decision to the WCL Board of Trustees. The written appeal must be received at the address set forth above within fifteen (15) days of the issue date of such decision. The WCL Board of Trustees will review timely filing appeals and will hold a hearing within sixty (60) days of the receipt of the appeal. The individual shall be notified in writing at least fifteen (15) days before the hearing. At such hearing, the individual and the WCL Board may be represented by counsel, may present evidence, and may call and examine witnesses and cross-examine witnesses of the other party. Within thirty (30) days of the hearing, the Board or its designee shall issue a written decision. The Board shall have the power to affirm or reverse the loss of privileges or trespass or to remand it to the Director or designee with further instructions for reconsideration. All suspensions and trespasses issued shall remain in full force and effect during any appeal period.

### Staff Procedures for Trespass

It is WCL's goal that all patrons remain in good standing with the library and have full library privileges. When violations of the WCL Code of Conduct occur, however, library staff can use a local library suspension (where a patron is asked to leave for a period of time) or an official trespass (where law enforcement is called, and a trespass order is issued to assist with enforcing the suspension). These guidelines outline when and how to officially trespass a patron:

#### *Guidelines for Official Trespass*

Members of the library management are authorized to work with law enforcement to order an official trespass. An official trespass is a local decision that is enforced at all WCL facilities. Official trespasses are reserved for those who have actively threatened staff or other patrons, or who are so disruptive that the library cannot be used safely and comfortably. This includes,

but is not limited to, any observable behavior that is prohibited by law including, but not limited to, threatening or harassing behavior (e.g. threatening to fight, brandishing a weapon, stalking, verbally threatening to harm others or their property); assaulting staff or other patrons (e.g. fighting); sexual misconduct or harassment (e.g. exposure, offensive touching, sexual acts); selling or using alcohol or drugs; theft of library materials, equipment, or items belonging to staff and/or other library users; intentionally damaging or destroying library materials, equipment or property; viewing or printing illegal materials (e.g. child pornography).

### *Implementing a Trespass*

An official trespass is issued by law enforcement at the request of a member of library management who has determined that a person willfully violated any rule or regulation prescribed for the use of the library or its facilities or any person whose physical condition is deemed dangerous or offensive to other library users. Library management may use the circulation and computer management systems to look up patron information and give it to the police for the purpose of implementing an official trespass order. An official trespass is generally no shorter than one (1) month or longer than one (1) year. Law enforcement must issue the official trespass in person. If the patron leaves before an officer arrives, library management may call to request an officer to issue the trespass when the person returns. The written trespass notification will include the length of trespass. Library management will complete an Incident Report and enter the trespass information into the Incident Report record.

### *Violation of a Trespass*

If a trespassed individual is in the library, a library manager or supervisor, if available, otherwise another library staff member should call 911. The dispatcher should be informed that the individual was trespassed and that they have returned. It is important to tell the dispatcher whether the trespasser is potentially threatening by either past or current conduct. The library manager or supervisor must also complete an Incident Report once the situation has been addressed.