

County of Monterey Board Policy Manual

| | | |
|---|-------------------------------|-----------------------|
| Policy Name Library Behavior | Policy Number G-130 | Page 1 of 4 |
| Policy Category Government and Administration | | |

I. Purpose

The Mission of the Monterey County Free Libraries (MCFL) is to bring ideas, inspiration, information, and enjoyment to our community. MCFL is dedicated to providing a welcoming, pleasant, and safe environment for all. Library users are encouraged to use MCFL’s resources and services and to participate in Library programs.

II. Background

MCFL, under the direction of the Library Director, determines the rules and regulations for public behavior in its facilities. These rules are necessary to protect the rights of individuals to use and enjoy Library property, materials, and services as they were intended; to conduct Library business without interference; to preserve Library materials and facilities from harm; and to ensure the rights and safety of Library users, staff, and volunteers. Everyone is expected to behave appropriately and not engage in Inappropriate Behavior in the Library. For the safety and comfort of younger children or individuals who are unable to follow Library rules and look after themselves independently, a responsible adult or caregiver shall accompany those who require such guidance, while they are using the Library. The Library requires that patrons shall be engaged in activities associated with the use of the Library while on Library premises. Those not so engaged may be asked to leave Library property.

III. Policy

It is the policy of the County that in situations where Library staff feels that the well-being, health, safety or security of Library users, staff, or volunteers is threatened, or that an illegal act has been committed, Library staff may take any and all appropriate actions including, but not limited to, asking Library users to leave the premises and/or calling law enforcement to enforce Library rules and/or protect Library users, staff, volunteers and/or property. When appropriate and safe, MCFL staff will attempt to correct, de-escalate, or mitigate a situation before requesting Library users to leave or imposing a ban.

MCFL staff may temporarily or permanently ban any individual who displays inappropriate behavior repeatedly, threatens themselves or others, disrupts the ability of others to use Library facilities or

resources, engages in illegal activity, or seriously violates behavior guidelines. Banning may be limited to one or more MCFL facilities. Any Library user who is banned has the right to appeal such determination to the Library Director.

Examples of prohibited behavior include but are not limited to the following:

1. Committing or attempting to commit any activity that would constitute a crime or violation of federal, state, or local statutes or ordinances.
2. Being in possession of firearms or dangerous weapons (exception: a member of law enforcement licensed to carry such weapons, acting in an official capacity).
3. Engaging in verbally or physically threatening or harassing behavior towards Library users, staff, or volunteers; disobeying a reasonable request or directive from Library staff; or engaging in disruptive or unsafe behavior, including but not limited to loud and disruptive noise/conversations or the use of sound/music equipment.
4. Stealing, defacing, damaging, or inappropriately using Library property, including removing property from Library premises without adhering to official checkout procedures or downloading unauthorized software to a Library computer.
5. Being disruptive while under the influence of alcohol or controlled substances, whether legally possessed or otherwise.
6. Panhandling, soliciting, conducting surveys, or distributing materials without Library permission on Library premises.
7. Eating and/or drinking in non-designated places or near Library computers without prior express Library staff permission.
8. Engaging in overtly sexual conduct on Library premises, including Library restrooms. Stalls are intended and restricted for use by one (1) person at a time, except when a personal attendant is required.
9. Neglecting to provide appropriate supervision of those who are unable to follow Library rules and look after themselves independently.
10. Bringing in animals other than a service animals authorized by law or the Library.
11. Sleeping in Library buildings, including restrooms.
12. Bathing or doing laundry on Library premises, including restrooms.
13. Entering into the library barefoot or without a shirt, or removing one's footwear or shirt while in the library, or being otherwise attired so as to be disruptive to the library environment (with the exception of infants or toddlers).
14. Bringing in oversized items that cause an obstruction or leaving items or animals unattended on Library premises.
15. Having bodily hygiene or other bodily odors so offensive as to constitute a nuisance to other persons.

Behavior and Supervision of Juveniles and Individuals Who Cannot Follow Library Rules or Look after Themselves Independently

MCFL welcomes library users of all ages. Responsible persons must supervise, guide, and control the behavior of those under their supervision at all times while in the library. Children under the age of

seven (7) years must be accompanied by an older responsible party. The Library assumes neither responsibility nor liability for the actions, care, supervision, or safety of juveniles or individuals who cannot follow library rules or look after themselves independently. Library staff will call law enforcement, if the responsible person cannot be located in the Library, in any of the following situations:

1. Juvenile/individual behaves in a disruptive or inappropriate manner.
2. Juvenile/individual appears to be a danger to themselves or others.
3. Juvenile/individual appears to be threatened by others.
4. Juvenile/individual appears to be ill or upset.
5. Juvenile/individual appears unable to take care of themselves when the Library closes.

In the event of an emergency, Library staff may call 911 or contact an appropriate emergency responder.

IV. Procedure

Banning Procedure: When Library staff determines that an individual should be banned for engaging in behavior that is severe, egregious, illegal, threatening, and/or inappropriate, threatens the safety of others, or that repeatedly disrupts Library services, the following procedures will apply:

1. Library staff will, in consultation with a manager or supervisor, determine the length and extent of the ban, based on the severity of the behavior/conduct.
2. Library staff will give a written banning notice to the individual involved, stating the reason for and length of the ban and a copy of MCFL's Inappropriate Behavior in the Library guidelines.
3. Library staff may contact appropriate law enforcement for assistance.
4. Library staff will notify the Library Director and staff at all MCFL facilities, with the name and description of the individual and the reason for and length of the ban.
5. Library staff will send a notice regarding the circumstances of the ban, to the parents/caregivers of juveniles/individuals who are banned from the Library. The notice will be mailed to the address on file.
6. The Library Director or designee will review each case. Individuals have the right to appeal a ban with a letter to the Library Director. The letter must be written within the banning period or within thirty (30) days of the issue date of a long-term or permanent ban. The letter must be sent to the Library Director, Monterey County Free Libraries, 188 Seaside Circle, Marina, CA 93933.
7. Banned juveniles/individuals may return to MCFL facilities when the term of the ban expires. They will be required to adhere to MCFL behavior guidelines upon their return.

Trespass: If a banned individual enters any MCFL facility named in the ban letter before the return date, law enforcement will be called and the individual may be cited or arrested for trespass. The length of the ban may be extended at that time.

Posting: This policy as stated above will be posted in a public area of the Library and on the MCFL website: www.eMCFL.org.

V. Review Date

- a. This Policy will be reviewed for continuance by May 23, 2028.

VI. Board Action

- a. Legistar File Number: 23-377 dated May 23, 2023.