

REQUEST FOR BOARD ACTION

HENDERSON COUNTY

BOARD OF COMMISSIONERS

MEETING DATE: 5 February 2007

SUBJECT: Library policy regarding banned individuals

ATTACHMENT(S):

1. Public library "Disruptive Behavior Policy"
2. Proposed policy banning offenders of the "Disruptive Behavior Policy"

SUMMARY OF REQUEST:

Public Library staff has noted a continuing problem with repeat offenders of the Library's "Disruptive Behavior Policy". A copy of the "Disruptive Behavior Policy" is attached.

County staff will present further information on this matter.

BOARD ACTION REQUESTED:

Adoption of the policies, attached.

If the Board is so inclined, the following motion is suggested:

I move that the Board approve the Public Library's "Disruptive Behavior Policy", and adopt the proposed policy banning offenders of the "Disruptive Behavior Policy".

HENDERSON COUNTY PUBLIC LIBRARY DISRUPTIVE BEHAVIOR POLICY

IT IS UNACCEPTABLE BEHAVIOR FOR ANY LIBRARY PATRON:

1. To create any loud or disturbing noise, including noise by persons and electronic devices.
2. To use tobacco (either smokeless tobacco or by smoking) inside library buildings.
3. To possess or consume food or beverages except where purchased within the building in a designated area for the same, or at meetings where permission has been obtained to serve refreshments from the Library administration.
4. To not wear shirts or shoes in any Library building.
5. To bring animals other than generally recognized service animals (e.g., guide dogs for vision impaired individuals) into the building.
6. To solicit for sales, donation, or to advocate any position (except in designated meetings in the area designated for such meetings).
7. To distribute leaflets or post any sort of notices or flyer without prior authorization from the Library administration.
8. To use Library telephones or other equipment without prior permission of the Library administration except where the same is clearly designated for public use.
9. To move library furniture or equipment from one location to another without prior permission of the Library administration.
10. To fail to adhere to the Library's internet use policy.
11. To leave children under the age of 8 unattended.
12. To use any Library facility, including buildings, parking lots, sidewalks or driveways for games, skateboarding, rollerblading or any other activities without the prior permission of the Library administration.
13. To remove any library property from the building without prior authorization of the Library administration except through established lending procedures.
14. To block or in any way interfere with the free movement of any person or persons.
15. To follow or stalk staff or patrons around any Library building, or to undertake any other harassing behavior such as staring or other acts of intimidation.
16. To commit any nuisance or to disturb or offend the average Library patron.
17. To deface or willfully destroy any library property or the property of any patron.
18. To verbalize obscene or abusive language.
19. To fight, threaten, challenge to a fight or use obscene or offensive words likely to provoke violence.
20. To carry or possess any concealed or unauthorized weapon.
21. To possess or consume alcoholic beverages or controlled substances anywhere on library property except in compliance with a valid prescription therefore.
22. To use library property or facilities for activities or behaviors for which is not intended (e.g., bathing, sexual activity).
23. To commit any crime under the laws of North Carolina.

Violators of this policy or patrons not complying with staff decisions regarding disruptive behavior are subject to removal from the library, and long-term loss of library privileges. Anyone refusing to leave the library premises when requested by library staff is subject to arrest and prosecution under trespass laws (N.C. Gen. Stat. §14-134) of North Carolina.

POLICY BANNING OFFENDERS FROM THE LIBRARY

Violators of the Henderson County Public Library Disruptive Behavior Policy will be asked to leave the library property immediately.

The length of time any offender will be banned from Library premises (which includes any Library building and all grounds of such buildings) will be based on the severity of the offense and any history of previous offenses by the violator. Any violator refusing to leave Library premises when requested by Library staff is subject to arrest for trespass, and will be prosecuted. When a person is banned from the Library, they are forbidden to access Library premises, and all library privileges are revoked for the length of the ban.

Offenders will be notified both verbally and by letter (mailed to the address provided by them to Library staff) of their violation and length of their ban from the Library.

Bans resulting from non-criminal violations of library policy:

First Offense: Offender banned for remainder of day.
Second Offense: Offender banned for one month.
Third Offense: Offender banned for six months.
Subsequent non-criminal offenses will incur further bans of not less than six months per offense.

Subsequent offenses need not be the same offense as previous offenses to count as second or subsequent offenses.

Bans resulting from criminal violations occurring on Library property:

The offender will be banned for a period of not less than six months (up to and including a permanent ban) depending on the severity of the offense.

Appeals

Appeals of bans of one month or more must be submitted, in writing, to the Library Director within 10 days of the mailing of the notice of the ban. For all bans of six month or more, an offender must submit a request in writing to the Library Director to have full library privileges reinstated. This request must set out the offender's plan to demonstrate full compliance with all Library policies in the future.