

**RPL POLICY
SECURITY
Patron Barring
Associated Policy: Code of Conduct**

POLICY STATEMENT

While on library premises, members of the public are expected to behave in an orderly manner which is conducive to the proper operation of the library. The staff has the right to perform their duties, and members of the public have the right to utilize the library's facilities and resources without disturbance from any individual or group. The Library has the right to exclude from its premises members of the public who violate the Code of Conduct approved by the Library Board. This right is codified under New York State Education Law §262. Use of Public and Tribal Libraries, which states:

Every library established under section two hundred fifty-five of this charter shall be forever free to the inhabitants of the municipality or district or tribal lands, which establishes it, subject always to rules of the library trustees who shall have authority to exclude any person who willfully violates such rules; and the trustees may, under such conditions as they think expedient, extend the privileges of the library to persons living outside such municipality or district or tribal lands.

The Board of Trustees as necessary adopts rules and regulations regarding patron conduct on Library premises. The Board delegates authority to the Library Director to implement the following policy and procedure, which shall be applied uniformly and without discrimination.

POSTING OF CODE OF CONDUCT

The Code of Conduct as adopted by the Board of Trustees shall be available at each public service desk and prominently displayed in each library building.

BARRING – MINOR OFFENSES (SHORT TERM)

Patrons who violate the established rules by committing minor offenses may be asked to leave the library facility by the security officer or designated person in charge of the library unit and may be barred from returning for a period not to exceed seven days, during which time an administrative decision will be made regarding extended barring time.

Such barring shall be verbally communicated to the patron and recorded on an incident report form. The patron may be issued an on-site barring form depending on the nature of the offense. Copies of both the incident form and on-site barring form shall be kept on file at the library unit and forwarded to the appropriate member of the Senior Management Team.

Barring for minor offenses shall not prevent the patron from using other RPL facilities and once the period of barring has concluded the patron shall be automatically reinstated.

BARRING – SERIOUS OFFENSES (LONG TERM)

A serious offense is defined as an action that violates any federal, state or local law **AND/OR** repeated violations of the library's rules of conduct.

Patrons who violate the Code of Conduct by committing a serious offense shall be asked to leave the library by security or the person in charge. In case of immediate threat of physical harm the police will be called immediately (911). The person(s) are to be told that they are not to return to the library for a period of seven days (one week). Within the seven day period, the incident will be reviewed according to the procedures mentioned below and the patron will be sent a letter advising them of their misconduct and the period of time they have been barred from the library. Such patron will be subject to being barred by the RPL Director from any or all RPL facilities for a determined length of time.

Such barring shall be imposed upon recommendation by the Manager of Library Administration for Central Library or the Deputy Director for Branch Libraries for neighborhood branches, who shall consult with the Supervisor of Library Security and submit an Incident Report Form to the Director describing the offense.

The Director or their designee will decide based on the review of the Incident Report form and staff recommendation and shall notify the patron via written letter. Copies shall be provided to appropriate staff and security personnel. The letter shall state the reasons for and the length of the barring, describe the patron's right to appeal and outline the process required to gain reinstatement.

All patrons barred from the library for a period exceeding seven days shall be afforded an opportunity to appeal the decision within five days of receipt of the barring letter. Such appeal shall be made by contacting the Manager of Library Administration. The process for appeal shall be detailed in the barring letter.

ENFORCEMENT

Security and Central or Branch Library Administration Offices shall maintain a record of the patron's name and address, description, reason for and duration of barring and all other pertinent information. Staff of Central Library and Branches should be notified through email or through the Patron Alerts section of the staff e-portal.

If a patron enters the library facility during the period in which they have been barred, the security officer or the person in charge shall request the patron to leave immediately. If the patron refuses, the police will be called.

BARRING OFFENSES

30 Days

- Bed Bugs – the patron may not borrow materials or enter RPL facilities for a period of 30 days. Informational assistance is provided to help the patron resolve the issue. Staff will implement the bed bug protocol by informing the Manager of Library Facilities.
- Smoking in Building or Near Entrances

1 Day to 3 Months (Disruptive Behavior)

- Cursing
- Defacing library materials

- Eating or drinking in restricted areas
- General minor disruptive/disrespectful behavior
- Loud Music
- Misuse of Restrooms
- Not complying with security/staff when asked to stop a behavior
- Poor personal hygiene- assistance is provided to help patron address this issue
- Public Display of Affection (depending on act)
- Talking Loud
- Using another's library card for Internet use

3 Months – 1 Year

- Under the influence of alcohol/drugs
- Urinating or defecating anywhere other than a designated restroom
- Public Display of Affection (depending on act)
- Sexual conduct in bathroom or other areas of the library (6 months)

1 Year Barring

- Attempting to steal library materials
- Attempting/Stealing patron's belongings
- Damage to library property
- Lewd behavior (masturbation, exposure of genitals)
- *Threatening behavior toward staff or patrons
- Vandalism

1 Year to 5 Years Barring (RPD typically involved)

- Fighting / Assault
- Sexual Assault
- Threatening behavior with weapon involved
- Unlawful behavior

*Threatening Behavior

- 1 Year - Threat, Indirect with Intimidation
- 2 Years - Threat, Direct with Intimidation
- 3 Years - Threat, Stating that they will act on it – aggressive behavior and RPD is called
- 4 Years Threat - Very aggressive behavior, RPD is called and patron is arrested
- 5 Years Threat - Causing harm to others (fights), RPD is involved and patron is arrested

APPEALS

All patrons barred from the library for a period exceeding seven days shall be afforded an opportunity to appeal the decision within five days of receipt of the barring letter. Such appeal shall be made by contacting the Manager of Library Administration. The process for appeal shall be detailed in the barring letter.

UNKNOWN PATRONS

In the case of offense by an unknown patron, the barring letter will be kept at Security Desks at Central or at the service desk at a Branch and delivered in-person if the patron attempts to return to the library.

Approved by the Rochester Public Library Board of Trustees, April 2010

Reviewed May 2016

Revised and approved by the Rochester Public Library Board of Trustees, October 26, 2022