

# UPPER MORELAND FREE PUBLIC LIBRARY

## CRIMINAL INCIDENT

Revised:	11/10/2011
Next Review:	2nd Qtr 2019
Reviewed:	05/19/2016
Original:	01/12/2011

### I. POLICY

- A. The purpose of this policy is to ensure the proper response to and reporting of criminal activity that is occurring, has occurred, or has the potential for occurring, within the UMFPL, and to protect all the UMFPL staff and patrons in the event of a potential or actual criminal activity within the UMFPL.
- B. In the event a person engages in conduct within the UMFPL that is prohibited by law and/or which endangers the well-being of UMFPL patrons or staff, the director may exclude such person from the UMFPL.
  1. Written notification is required to be sent to the excluded person advising him/her of his/her prohibited status. A copy of the letter shall be forwarded to the UMPD for inclusion in a file enabling the UMPD to charge the subject person with trespass if that person attempts to enter the library.
    - a) The director's decision to exclude a person shall become effective immediately.
    - b) In the event the director excludes a person from the UMFPL, the board of trustees shall vote at the next regular meeting of the board, in accordance with the UMFPL by-laws, to either affirm or reverse the decision of the director to exclude the person.
- C. In the event a person engages in conduct within the UMFPL that is prohibited by law and/or which endangers the well-being of UMFPL patrons or staff, and the director has not taken action to exclude the person from the UMFPL, the board of trustees may

## UPPER MORELAND FREE PUBLIC LIBRARY

exclude such person from the UMFPL by a vote of the board taken in accordance with the UMFPL by-laws.

- D. In the event a person is excluded from the UMFPL under subsections C & D above, such person shall not be permitted to enter onto the physical premises of the UMFPL, including the Community Room. Such exclusion shall remain effective until reversed by a vote of the board of trustees taken in accordance with the UMFPL by-laws.
- E. The release of information to the media concerning criminal incidents occurring within the UMFPL shall be coordinated between the director and the president of the UMFPL board of trustees, and only after consultation with the Upper Moreland Police Department.
1. Decisions regarding the release of information under such circumstances shall be made only after due deliberation given to the interests of the UMFPL; police investigative considerations; the need to protect the privacy of victims and UMFPL patrons and staff; and compliance with 24 P.S. §4428.
  2. Before denying access to any person, the director or designee shall inform the person in writing of the reason and period of time he or she is being denied access and give the person a reasonable opportunity to state his or her response to the proposed denial.

## UPPER MORELAND FREE PUBLIC LIBRARY

3. A person denied access may appeal to the director within five (5) days of the date of notice. If the director affirms the decision to deny access, the person denied such access may appeal the denial in writing to the board of trustees at 109 Park Avenue, Willow Grove PA 19090 within ten (10) days of the date of notice. The appeal shall state the reasons why access to the library should not be denied.
4. An appeal to the board of trustees shall not stay the director's denial. The board shall provide the person with an opportunity to be heard before deciding the appeal and may affirm, modify, or reverse the director's denial. A person who has been denied access permanently may re-apply to the board for access after a period of one year. The petition shall set forth the reasons the person believes reinstatement is justified.
5. The board shall provide the person with an opportunity to be heard before it makes its decision on the petition for reinstatement. The board may deny, grant, or grant with conditions the petition for reinstatement.

### II. DEFINITIONS

- A. A criminal incident includes all conduct that the librarian-in-charge or supervisor believes is prohibited by law and/or endangers UMFPL patrons or staff.
- B. Pennsylvania law 24 P.S. §4428 mandates that records related to the circulation of library materials which contain the names or other personally identifying details regarding the users of the State Library or any local library which is established or maintained under any law of the Commonwealth, or the library of any university, college, or educational institution chartered by the Commonwealth, or the library of any public school or branch reading room, deposit station, or agency operated in connection therewith, shall be

# UPPER MORELAND FREE PUBLIC LIBRARY

confidential and shall not be made available to anyone except by a court order in a criminal proceeding or a federal investigative proceeding under the US Patriot Act of 2001.

## III. RESPONSIBILITY

A. The director of the UMFPL shall establish necessary procedures to take effect in the event a criminal incident, as herein defined, is occurring, has occurred, or has the potential for occurring, within the UMFPL. The procedures implemented by the director shall ensure the following:

1. The occurrence or potential occurrence of a criminal incident is immediately reported to the Upper Moreland Police Department (UMPD) by calling 911 and to the librarian in charge. Any subsequent investigation shall be the sole responsibility of the UMPD;
2. The safety of all patrons and staff members, including the victims of any criminal incident; and
3. The privacy of UMFPL patrons and staff and compliance with 24 P.S. §4428 by limiting the release of personal or circulation information about UMFPL patrons and staff to that which is required to be disclosed by proper legal process. However, the procedures established by the director shall not interfere with the prompt and full reporting of criminal incidents or potential criminal incidents.