

# UPPER MORELAND FREE PUBLIC LIBRARY

Revised:	12/09/2020
Next Review:	4 <sup>th</sup> Qtr 2023
Reviewed:	11/12/2020
Original:	10/13/2011

## RESPONSE TO PATRON MISCONDUCT

### I. POLICY

- A. The purpose of this policy is to ensure the proper response to and reporting of incidents regarding a patron not abiding by the posted Patron Conduct Rules. The library's Patron Conduct Rules serve to protect the staff and patrons in the event of unsafe or disruptive patron activity, both criminal and noncriminal, at the library, during a library-sponsored event, or at a library outreach event.
- B. All staff members have the authority to call 911 should they observe illegal behavior or feel their personal safety or the safety of any other is threatened.
- C. Following procedures, an assistant librarian or librarian may provide a patron known to have violated a Patron Conduct Rule with written notification of the Patron Conduct Rule violated and request the misconduct stops immediately.
- D. When a patron is known to have violated any Patron Conduct Rule with behavior that significantly disrupts the operation of the library, interferes with another patron's or patrons' right(s) to use the library, endangers or may endanger the well-being of patrons or staff members, a librarian shall orally inform the patron to leave the library and explain the reason that they are being denied access to the library.
1. The librarian will contact the police should the patron refuse to leave the library.
  2. Following procedures, the librarian would provide the director with appropriate documentation based on the individual circumstances of the misconduct.
  3. In the event the director determines library access should be denied for more than 48 hours, written notification will be sent to the excluded patron advising him/her of the prohibited status and reason.
    - a) The director's decision to exclude a patron shall become effective immediately.
    - b) A copy of the letter shall be forwarded to the Upper Moreland Police Department (UMPD) for inclusion in a file enabling the UMPD to charge the subject patron with trespass if that patron attempts to re-enter the library.

# UPPER MORELAND FREE PUBLIC LIBRARY

c) In the event the director excludes a patron permanently from the library, the board of trustees shall vote at the next regular meeting of the board, in accordance with the library by-laws, to either affirm or reverse the decision of the director to exclude the patron.

- D. A patron denied access may appeal to the director within five (5) days of the date of notice.
1. If the director affirms the decision to deny access, the patron denied such access may appeal the denial in writing to the library board of trustees at 109 Park Avenue, Willow Grove PA 19090, within ten (10) days of the date of notice.
  2. The appeal shall state the reasons why access to the library should not be denied.
- E. An appeal to the board of trustees shall not stay the director's denial.
1. The board shall provide the patron with an opportunity to be heard in an executive session before deciding the appeal and may affirm, modify, or reverse the director's denial.
  2. A patron who has been denied access permanently may re-apply to the board of trustees for access after a period of one year.
  3. The petition shall set forth the reasons the patron believes reinstatement is justified.
- F. In the event the director has not taken action to exclude a patron from the library who engages or engaged in conduct within the library that is prohibited by law and/or which endangers or endangered the well-being of library patrons or staff members, the board of trustees may exclude such patron from the library by a vote of the board taken in accordance with the *Bylaws of the UMFPL*.
- G. The release of information to the media concerning criminal incidents occurring within the library shall be coordinated between the director and the president of the library board of trustees, and only after consultation with the Upper Moreland Police Department. Decisions regarding the release of information under such circumstances shall be made only after due deliberation given to the interests of the library, police investigative considerations, the need to protect the privacy of victims and library patrons and staff members, and compliance with 24 P.S. §4428.

## II. DEFINITIONS

## UPPER MORELAND FREE PUBLIC LIBRARY

- A. A criminal incident includes all conduct that the professional-in-charge or manager believes is prohibited by law and/or endangers library patrons or staff members.
  - B. The Patron Conduct Rules are regulations that govern the behavior that is expected of patrons while using library facilities. The Patron Conduct Rules are written and implemented by the director to ensure a safe, welcoming environment.
  - C. 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 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:** The library director shall establish necessary procedures to comply with this policy to ensure the safety of all patrons and staff members, including the victims of any criminal incident.
- A. The occurrence or potential occurrence of a criminal incident is to be immediately reported to the Upper Moreland Police Department (UMPD) by calling 911 and also reported to the professional-in-charge. Any subsequent investigation shall be the sole responsibility of the UMPD.
  - B. The privacy of library patrons and staff members and compliance with 24 P.S. §4428 is limited to the release of personal or circulation information about library patrons and staff to that which is required to be disclosed by proper legal process.
  - C. A minimum of one professional librarian will be scheduled to work in the building during all hours open to the public.