CONTRA COSTA COUNTY LIBRARY COMMISSION
AGENDA ATTACHMENT 9

MEETING DATE: Thursday, May 25, 2017
AGENDA ITEM #: 11.B.
ITEM: SAFETY AND SECURITY UPDATE

RECOMMENDED ACTION:

No action is recommended.
Patron Conduct Policy

Statement of Policy

The Contra Costa County Public Library seeks to provide materials and services to the public in an environment that is safe, pleasant and conducive to comfortable library use. No one may engage in conduct that interferes with anyone else’s ability or right to use and benefit from library facilities. (See below for types of unacceptable behavior.)

Anyone who engages in behavior that disrupts someone else’s use of the library may be asked to leave the library.

Persons who engage in illegal activity, or any willful or repeated violations of this Patron Conduct Policy, or other posted library rules, are subject to being removed from the library facility and/or having their library privileges suspended. (See the Contra Costa County Public Library Suspension Policy.) Where authorized by Federal, State or local law, conduct violations may also result in arrest.

Enforcement of this Patron Conduct Policy will be by library staff and/or local police, as appropriate.

Need for the Policy

This Patron Conduct Policy is intended to protect the rights and safety of library patrons and staff and preserve and protect the library’s materials, facilities and property.

Conduct Requirements

Patrons must be engaged in activities associated with the use of a public library when in the building. Patrons not engaged in reading, studying, using library materials or equipment, or participating in a library program or activity will be required to leave the building.

The following behaviors are prohibited in the library:

- Behaviors that disturb the normal functioning of the library, including:
  - Refusing to follow the reasonable direction of library staff.
  - Engaging in illegal activities.
  - Being in possession of or under the influence of alcohol or illegal drugs.

Approved by the Contra Costa County Board of Supervisors on April 21, 2015.
Smoking, including the use of electronic or vapor cigarettes, inside the library facility or anywhere on library property.

Creating loud noises that are disruptive to others, including loud talking and using electronic equipment set at a loud volume.

Causing strong pervasive odors that constitute a nuisance to others, including pervasive fragrances caused by perfume or other scented products.

Soliciting, panhandling, or gambling.

Failure to wear a shirt/top, pants/bottoms or shoes.

Engaging in any sexual activity or conduct.

Entering restricted and/or nonpublic areas of the library without permission.

Interfering with or disrupting library computer networks, library services, or library equipment.

Consuming food or beverages in the library, other than in designated areas.

Theft of library materials.

Behaviors that disrupt the use of the library by others or create an unsafe environment, including:

- Engaging in behavior that a reasonable person would find harassing, threatening, harmful or disruptive, including stalking, prolonged staring, or following another with the intent to annoy or disturb.

- Harassing, threatening, assaulting, fighting, challenging to fight, or making verbal, written or implied threats of violence.

- Bringing a weapon of any kind into the library or onto library property, including but not limited to, a gun, whether loaded or unloaded, a knife or a club.

- Using harassing or insulting language, including profanity.

- Engaging in horseplay or hazing.

- Vandalizing library facilities, equipment, or materials.

- Engaging in behaviors prohibited by other library policies.

Inappropriate use of facilities or equipment, including:

- Blocking entrances, exists, aisles, or walkways.

- Using furniture or building facilities in ways that may cause damage or excessive or unreasonable wear, e.g., lying down, putting feet on chairs or walls, using more than one seat per person.

- Using restrooms inappropriately, such as for shaving, bathing, laundering, or loitering.

- Using library furniture or materials for anything other than its intended purpose.

- Using electronic devices or other equipment in a way that disturbs other library users.

- Leaving young children unattended anywhere in the library, including the children’s area. (See the Contra Costa County Public Library Unattended Children Policy.)

Approved by the Contra Costa County Board of Supervisors on April 21, 2015.
o Bringing any animals, except service animals or animals authorized by library staff, onto library property.

o Running, riding skateboards, scooters, roller shoes, roller skates, roller blades, or similar devices inside library facilities or on library property.

o Bringing bicycles, unicycles, tricycles or other similar conveyances into library facilities, or leaving them at the entrance or exit to the library in a manner that inhibits entry or exit. (This restriction does not apply to wheelchairs or strollers or similar devices, provided they are used and stored in a manner that does not restrict public access.)

o Lying down or sleeping in a reclined position while in a library facility or on library grounds.

o Leaving personal belongings unattended.

o Using the Internet in ways that interfere with a safe, welcoming and comfortable environment for the public or library staff.

o Misusing library spaces that are designated for particular uses. . (See the Contra Costa County Public Library Children and Teen Areas Policy.)

o Such spaces vary by branch, but include:

  ▪ Children’s rooms, which are reserved for children under the age of 12 and their caregivers, and patrons using the children’s collections at the discretion of library staff.

  ▪ Teen rooms, which are reserved for patrons who are age 12 through 18, or patrons using the teen collection at the discretion of library staff.

  ▪ Certain computers and study rooms that are designated for customers working individually and quietly.

Approved by the Contra Costa County Board of Supervisors on April 21, 2015.
Suspension Policy

Statement of Policy

The Contra Costa County Public Library has adopted a Patron Conduct Policy to help ensure the safety and security of library patrons and staff and a comfortable and enjoyable library experience for all. Persons who violate the Patron Conduct Policy are subject to removal from the premises and/or suspension of their library privileges, or, when appropriate, arrest.

Need for the Policy

This Suspension Policy gives the Contra Costa Public Library a mechanism to protect the public and staff from disruptive, offensive or unsafe behavior. The Suspension Policy also gives the library a mechanism to protect library property, equipment and facilities.

Staff Response to Violations

Violation of any of the conduct requirements set forth in the Patron Conduct Policy constitutes conduct that can result in expulsion from the library and forfeiture of library privileges. The library reserves the right at all times to immediately eject a patron that is engaged in any conduct that threatens the life or safety of any person or that is damaging to library property, equipment or facilities.

Minor violations of the Patron Conduct Policy will first result in library staff attempting to educate or warn individuals about policies and enforcement. Repeat misconduct or severe offenses (even a single isolated event) may result in an individual’s library privileges being suspended for a minimum of one day to a maximum of one year. Below are examples of inappropriate patron behaviors and suspension time periods.

One-Day Suspension:

- Ignoring repeated staff warnings about disruptive behavior
- Violating the Patron Conduct Policy
- Using harassing, threatening or insulting language, including profanity
- Being intoxicated
- Causing strong pervasive odors that constitute a nuisance to others

Approved by the Contra Costa County Board of Supervisors on April 21, 2015.
One-Week up to One-Month Suspension:

- An escalation of any of the above behaviors, or the repetition of these behaviors despite previous warnings or the previous imposition of a one-day suspension
- Using library facilities or equipment inappropriately

One-Month up to Six-Month Suspension:

- An escalation of any of the above behaviors that previously resulted in a one-week, or longer, suspension
- Behavior that a reasonable person would find harassing, threatening, harmful or disruptive
- Vandalizing library facilities, equipment or materials

One-Year Suspension:

- Any illegal behavior
- Bringing a weapon of any kind into the library or onto library property
- Sexual misconduct of any kind
- Physical violence of any kind
- Repeated offensive or dangerous behavior over a period of time
- Repeated or escalating behavior that prior suspensions did not correct

Suspension Procedures

If staff determines that a person has engaged in severe or repeat misconduct and staff has determined that the individual’s library privileges should be suspended, staff will issue a written suspension notice (see form attached) to the individual involved notifying him/her that he/she is banned from all Contra Costa County Public Libraries. The notice will indicate the reason(s) for the ban and the time period of the ban. If possible, the notice will be hand-delivered to the individual when the determination to suspend library privileges is made. If it is not possible to hand-deliver the notice and the individual’s name and address are known, the notice will be mailed to the individual. If the person whose privileges are being suspended is a minor, a copy of the suspension notice will be mailed to the parent or guardian of the individual.

Appeal Process

Anyone whose library privileges have been suspended for more than one week may appeal the decision to the County Librarian. The County Librarian, or designee, may affirm, modify, or revoke any suspension. Appeals must be made in writing and must be received within seven days of the suspension. Appeals should be addressed to the County Librarian, Contra Costa County Library Administration, 777 Arnold Drive, Suite 210, Martinez, CA 94553.

Approved by the Contra Costa County Board of Supervisors on April 21, 2015.
Enforcement

If any person named in a suspension notice enters a Contra Costa County Public Library before the return date listed on the suspension notice, he or she will be asked to leave. If the individual does not leave when asked, staff will contact local law enforcement.

Individuals who enter a Contra Costa County library before the return date listed on the suspension notice are subject to arrest for trespass under California Penal Code Section 602.
Walnut Creek Police Department Emergency
Contact Information / Trespass Authority

Please fill out the below information if you own a property or business within the city limits of Walnut Creek. The top portion is after-hours contact information that can be used in the case of an emergency. The bottom portion is giving us the authority to vacate the premises.

Business Name: Walnut Creek Library
Business Address: 1644 N. Broadway
                      Walnut Creek, CA 94596
Business Phone: 925-977-3355

Please list responsible parties authorized to be contacted in case of an emergency after-hours:

1. Melinda Cervantes
   Phone: 408-639-4124
2. Library Admin
   Phone: 925-608-7700
3. 
   Phone: 
4. 
   Phone: 

Alarm Company: 
Phone: 

LETTER OF AUTHORITY TO THE WALNUT CREEK POLICE DEPARTMENT
(Optional)

I, the undersigned, am the owner, manager or authorized agent of the business or property whose name and address appear above. It is my desire that officers of the Walnut Creek Police Department act as my agent for the purposes of enforcing trespassing laws under Penal Code section 602, Walnut Creek Municipal Code section 4-6.401, and unlawful lodging, Penal Code Section 647(i). I also request enforcement of parking regulations under Walnut Creek Municipal Code section 4-6.302, where applicable (posted).

Officers of the Walnut Creek Police Department are authorized to request persons who are found loitering upon the grounds of our establishment to vacate the premises and to take appropriate enforcement action when compliance is not achieved.

Name: Melinda Cervantes
Title: County Librarian
Signature:  
Date: 3/3/17
Address: 777 S. Arnold Drive, Martinez, CA 94553
         Suite 210
Business Phone: 925-608-7700
Home Phone: 408-639-4124
Captain Dan Hoffman  
Patrol Division Commander  
Field Operations Bureau  
1980 Muir Road  
Martinez, CA 94553

Dear Captain Hoffman,

I, ____________________________________________, am the ____________________________________________ in lawful possession of the property located ____________________________________________ (Legal Authorities, i.e.: “property owner/manager,” “agent,” etc.)

at ____________________________________________. Additionally, this location is referred to as ____________________________________________ (Property Address) (Business Name)

I herein delegate you, or any duly sworn employee of the Contra Costa County Office of the Sheriff, to act as my agent for the sole purpose of enforcing section 602(1) of the California Penal Code. I am aware that this authority obligates me to properly post my property as being closed to the public in accordance with California Penal section 602(1) and 602(o). I agree to aid in the investigation and prosecution of such cases as needed, to which my assistance may require my testimony in a court of law. I am further aware that this authorization is limited to a period not to exceed one year beyond the below signature date, which is renewable.

__________________________________________
Signature

__________________________________________
Witness

__________________________________________
Date

__________________________________________
Phone Numbers (24 hour contact)

Routing: Original – Records, Copy to Stationhouse Commander & Line-up board
Revised: 03/04/2015