

# CONTRA COSTA COUNTY LIBRARY

## **Suspension Policy**

### **Statement of Policy**

The Contra Costa County 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 in library facilities. Persons who violate the Patron Conduct Policy are subject to having their library privileges suspended, and, when appropriate, arrest.

### **Need for the Policy**

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

### **Library Response to Violations**

To ensure the safety of patrons and staff, the library reserves the right at all times to immediately eject a patron from a library facility who is engaged in any conduct that threatens the safety of any person or that is damaging to library property, equipment, or facilities. In addition, patrons who violate the Patron Conduct Policy may have their library privileges suspended, with the duration of the suspension dependent on severity of the violation.

The following is a summary of the types of behavior that could lead to library privileges being suspended, and the potential duration of the suspension. The examples provided are not exhaustive and are intended to serve only as a guide for library patrons and staff.

#### Category 1: Conduct Potentially Leading to Suspension for One-Day to One-Week\*

##### *Examples of Category 1 Behavior:*

- Ignoring repeated staff warnings about disruptive behavior.
- Talking loudly, yelling, or using profanity.
- Disturbing or harassing other library patrons or library staff.
- Conducting unauthorized sales activities.
- Panhandling or soliciting donations.

- Not wearing shoes or a shirt, except for infants and toddlers. Not wearing bottoms.
- Misusing library equipment or facilities.
- Causing strong pervasive odors that constitute a nuisance to others.

\*Prior to issuing a suspension, library staff will attempt to educate individuals about library policies and potential enforcement action.

### Category 2: Conduct Potentially Leading to Suspension for One-Week to One-Month

*Examples of Category 2 Behavior:*

- An escalation or continuation of any disruptive behavior for which a suspension for a lesser period has already been imposed.
- Sexual conduct.
- Theft.

### Category 3: Conduct Potentially Leading to Suspension for One-Month to Six-Months

*Examples of Category 3 Behavior:*

- An escalation or continuation of any disruptive behavior for which a suspension for a lesser period has already been imposed.
- Actions or words that would cause a reasonable person to fear for their personal safety or to feel distressed, alarmed or harassed. This behavior includes, but is not limited to, engaging in verbal abuse, including the use of racial slurs.
- Vandalizing library facilities, equipment, or materials.

### Category 4: Conduct Potentially Leading to Suspension for Six-Months to One-Year

*Examples of Category 4 Behavior:*

- An escalation or continuation of any disruptive behavior for which a suspension for a lesser period has already been imposed.
- Aggressive or dangerous behavior.
- Physical violence.
- Bringing an item designed or intended to injure or harm people into the Library, unless explicitly permitted by law.

## Category 5: Conduct Potentially Leading to Suspension for One-Year or Longer

### *Examples of Category 5 Behavior:*

- An escalation or continuation of any disruptive behavior for which a suspension for a lesser period has already been imposed.
- Persistent aggressive or dangerous behavior.
- Physical violence.
- Brandishing a weapon of any kind in a threatening manner in the library or on library property.

### **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 to the individual notifying them that their access to all Contra Costa County library facilities has been suspended. The notice will indicate the reason(s) for the suspension and its duration. If possible, the notice will be hand-delivered to the individual when the suspension is imposed. 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 suspended individual is a minor, a copy of the suspension notice will be mailed to the parent or guardian of the individual.

If Library staff proposes a suspension duration of more than one year, a determination about the length of the suspension will be made jointly by the County Librarian and the County Administrator, or their designees. Once a determination is made, the same notification process set forth above will be followed.

### **Appeal Process**

The appeal process applicable to a particular suspension depends on the duration of the suspension.

#### Suspension Period - One Year or Less

Anyone whose library privileges have been suspended for more than one week and up to one year may appeal the decision by submitting a written request to the County Librarian. The appeal must be received within a reasonable period after the imposition of the suspension. Appeals should be addressed to the County Librarian, Contra Costa County Library Administration, 777 Arnold Drive, Suite 210, Martinez, California 94553 or emailed to [admin@library.cccounty.us](mailto:admin@library.cccounty.us). The County Librarian, or designee, may affirm, modify, or revoke any suspension. The County

Librarian will respond in writing within 7 days.

### Suspension Period - More Than One Year

Anyone whose library privileges have been suspended for more than one year may appeal the decision by submitting a written request to the County Librarian. The appeal must be received within one month after the imposition of the suspension. Appeals should be addressed to the County Librarian, Contra Costa County Library Administration, 777 Arnold Drive, Suite 210, Martinez, California 94553. Once the written appeal has been received, the appeal will be considered by a review panel. The review panel will have an odd number of members and will be comprised of at least two library leaders from library jurisdictions other than Contra Costa County. The review panel may meet in person or online and may affirm, modify, or revoke the suspension. Appellants may attend the review panel meeting.

### **Post-Suspension Process**

Anyone whose library privileges were suspended for more than one year is required to have a reentry meeting before returning to the library. Reentry meetings will be conducted jointly by the County Librarian and the County Administrator, or their designees. The purpose of the reentry meeting is to establish with reasonable certainty that the behavior that led to the suspension has been corrected and that the rights and safety of library patrons and staff are no longer threatened.

To schedule a reentry meeting, patrons must submit a written request for a reentry meeting by emailing [admin@library.cccounty.us](mailto:admin@library.cccounty.us), or by mailing a written request to the County Librarian, Contra Costa County Library Administration, 777 Arnold Drive, Suite 210, Martinez, California 94553. A reentry meeting will be scheduled within 30 days after the receipt of the request. Reentry meetings can be requested upon the expiration of the original suspension and, if reentry is not granted, no more often than every six months thereafter.

### **Enforcement**

If any person named in a suspension notice enters a Contra Costa County library before the return date listed on the suspension notice, they 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 their suspension notice are subject to arrest for trespass under California Penal Code Section 602.