

**BERKELEY PUBLIC LIBRARY  
POLICIES**

**SUBJECT: Patron Suspension Policy**

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BOLT Resolution #:	R02-067
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In order to provide and maintain a comfortable and safe environment for all patrons and library staff, the Board of Library Trustees has approved the Berkeley Public Behavior Guidelines. Violation or repetitive violation of any of the behavior guidelines may warrant a suspension of library privileges. Suspension of library privileges will result in removal from, and denial of access to, all Berkeley Public Library services and facilities for a designated period of time.

**SUSPENSION PROCEDURES**

In order to be fair and equitable in the application of the Berkeley Public Library Behavior Guidelines and to provide documentation of the enforcement of these guidelines, authorized library staff members shall apply the following procedures:

**A. IMMEDIATE SUSPENSION WITH FURTHER ACTION TO FOLLOW:**

The following behaviors will not be tolerated:

- Engaging in any illegal activity
- assault, fighting or challenging to fight
- engaging in or soliciting any sexual act
- theft, damage, or destruction of library property; and
- harassing or threatening language or conduct toward library patrons or staff.

Authorized library staff will instruct anyone displaying these behaviors to leave the library facility immediately. Police may be called and additional legal action may occur, as appropriate. In addition, based on the severity of the situation, a suspension of library privileges for up to one year will be applied without advance warning or prior suspension. The Director or Deputy Director of Library Services will determine and assign the appropriate suspension period.

All other prohibited behaviors will be addressed in the following manner:

FIRST VIOLATION: Initial warning and given copy of Library Behavior Guidelines

SECOND VIOLATION: Library privileges suspended for the day

THIRD VIOLATION: Library privileges suspended for seven days

FOURTH VIOLATION: Library privileges suspended for up to one year

Circumstances, including the seriousness or continuing nature of the conduct may warrant immediate suspension of library privileges.

**B. INITIAL WARNINGS:**

When a patron has violated the Berkeley Public Library Behavior Guidelines by displaying behavior that is more disruptive than violent or physically threatening, authorized library staff will handle these situations in the following manner:

1. Provide the patron with a copy of the Library Behavior Guidelines. Explain to the patron that they are engaging in disruptive behavior, what that behavior is and

the importance of abiding by the behavior guidelines. The patron will be advised that further violations of the rules will not be tolerated and may result in their being asked to leave for the day.

2. The library staff member will fill out a Library Incident Report to document the incident and conversation with the patron. The Incident Report will be submitted to Library Administration.

C. SUSPENSION – 1 DAY

1. If the patron continues disruptive behavior either the same day or another day, authorized library staff will reaffirm all previous conversations with the patron. Regarding the behavior and instruct the patron to leave the facility for the day: Library patrons who feel the treatment is unfair will be offered the name and telephone number of the next ranking library staff member so that they may communicate their concerns.
2. Library staff will again document the incident with a Library Incident Report submitted to Library Administration.

D. SUSPENSION – 7 DAY:

Longer than 1-day suspensions will be issued if a patron continues to display disruptive behavior after receiving a one-day suspension. If disruptive behavior continues a patron may be suspended for a minimum of 7 days and a maximum of one year. Any suspension longer than 7 days will be issued in a minimum of one-month increments.

1. If a patron has been issued a one-day suspension for disruptive behavior and if disruptive behavior continues either during the suspension period or afterwards, a patron will then be suspended for 7 days.
2. When a decision is made to suspend a patron for 7 days or more, authorized staff must complete the "Notice of 7-Day Library Suspension" document.
3. A copy of the completed document will be provided to the patron. In the case of a minor (under the age of 18), the Library will also attempt to notify the parent or guardian and provide them with a copy of the completed document.
4. Authorized library staff will also complete a Library Incident Report and submit the report to Library Administration.
5. A patron will receive only one 7-day suspension for disruptive behavior. Any further suspensions for disruptive behavior will be for 1 or more months.
6. The patron will not be offered a formal hearing process for 7-day suspensions; however, they will be given the name and phone number of the appropriate Library Services Manager, Deputy Director and/or Director so that they may communicate their concerns by telephone or by submitting an appeal in writing.
7. To submit a written appeal the patron must complete the "Appeal of 7-Day Suspension" document. The patron must return the completed form to the suspending library within one working day from the date the suspension is issued.
8. The appeal will be reviewed by the Library Director, Deputy Director or Library Services Manager within one working day of submittal. If by a preponderance of the evidence it is determined that the suspension is unwarranted, the suspension will be withdrawn. The patron may call the library one day after submitting a written appeal to determine the status of the suspension.

## E. SUSPENSION - 1-6 MONTHS:

1. If a patron has been issued a 7-day suspension for displaying disruptive behavior and disruptive behavior continues either during the suspension period or afterwards, a decision will be made to suspend the patron for one to six months. Authorized staff must complete the "Notice of 1-6 Month Library Suspension" document.
2. A copy of the completed document and all accompanying forms will be provided to the patron.
3. In the case of a minor (under the age of 18), the Library will also attempt to notify the parent or guardian and also provide them with the completed document and all accompanying forms.
4. Authorized library staff will complete a Library Incident Report and submit it to Library Administration
5. Any patron suspended for 1-6 months has the right to a hearing with the Suspension Hearing Panel. The Suspension Hearing Panel will be comprised of the Library Director and/or Deputy Director, and/or appropriate Library Services Managers and, when appropriate, a library security guard. Library staff or patrons that were witnesses to the event may also be asked to appear.
6. To receive a hearing the patron must follow the directions on the "Notice of 1-6 Month Suspension" and "Request for Suspension Hearing" documents.
7. The patron must return the completed forms to the suspending library within 7 working days from the date the suspension is issued.
8. All hearings are held at the Central Library. A parent or guardian must accompany a minor (under the age of 18) to the hearing.
9. The decision of the Suspension Hearing Panel for all 1-6 month suspensions is final.

## F. SUSPENSION - 7 MONTHS OR LONGER:

1. If a decision is made to suspend a patron for longer than 6 months, the Deputy Director or Library Director will complete a "Notice of 7-12 Suspension" document.
2. A copy of the document and accompanying forms must be provided to the patron.
3. In the case of a minor (under the age of 18) the Library will attempt to provide the parent or guardian with a copy of the completed forms.
4. Any patron suspended for more than 6 months has the right to a hearing with the Extensive Suspension (ES) Hearing Panel. The ES Hearing Panel will be comprised of two (2) members of the Board of Library Trustees, and at least one authorized Library staff member such as the Library Director, Deputy Director or Library Services Manager. A library security guard will also be present. Library staff or patrons who were witnesses to the event may also be asked to appear.
5. To receive a hearing the patron must follow the directions on the "Notice of Suspension for 7-12 Months" and "Request for Extensive Suspension Hearing" documents. In addition, the patron must return the Request for Hearing form to the suspending library within seven days of receiving the suspension. All hearings are held at the Central Library.
6. The decision of the ES Hearing Panel will be final.

Approved by the Board of Library Trustees  
September 11, 2002. Revised November 14, 2012, May 28, 2015.

<b>Reviewed by:</b> _____ Director of Library Services	_____
	Date
<b>Approved by:</b> _____ Chair, Board of Library Trustees	_____
	Date