



# ONTARIO CITY LIBRARY EXPULSION POLICY

## **Library Rules of Conduct:**

The Ontario City Library is a public facility open to all for library use. No one has the right to interfere with anyone else's right to use the library. Any disruptive conduct or interfering condition is cause for expulsion.

## **Staff Response to Infractions:**

Violation of the Library Rules of Conduct can result in expulsion from the library and forfeiture of library privileges. Minor violations of these rules will result in library staff attempting to educate or warn individuals about policies before enforcing such policies. If an individual continues to violate these policies, staff may require them to leave for the day. However, any conduct (verbal, physical, or other) that threatens the life or safety of any person or that is damaging to library property, equipment, or facilities may result in immediate expulsion from the library premises.

Library staff members are authorized to contact the Ontario Police Department (Dispatch x4420) to respond to such situations. Repeat misconduct or severe offenses (even if a single isolated event) may result in individuals being banned from the library from a week, to a year, or permanently. Staff will follow the established procedures below in making this determination. Staff will call the police for severe or illegal behavior or when an individual refuses to leave when told by staff to do so.

*\*Note – staff can expel someone from the library for 24 hours for committing a serious offense or for committing repeated infractions (See Library Rules of Conduct) but banning requires action by Library Administration. After consulting with assigned BL (Building Lead) or supervisor, staff at any level may require a customer to leave for 24 hours but must notify the assigned BL and Library Administration.*

## **Banning Procedure:**

After staff determines that a person has engaged in severe or repeat misconduct and staff has determined that the individual involved should be banned:

1. Staff will involve Library Director or Library Services Manager(s), or if not available, the Supervising Librarian or assigned Building Lead.
2. Staff will gather information about the individual being banned, including library card number, name, address, phone number, etc.
3. Staff will complete an incident report along with details about potential ban and recommendation for time period of the ban.
4. After review, if the Library Director/Library Services Manager(s) agrees with the reasons for ban then the Library Director will mail the "Banning Letter," attached herein. The Library Director/Library Services Manager(s) will notify the Library Board and staff of the ban.

5. The Library Director will review and may reconsider the decision to ban an individual upon written request of the banned individual and may shorten or terminate the banning period if information submitted by the individual, in the discretion of the Library Director, warrants such modification. Library Director may consult with the City Attorney's Office before issuing the response to the banned individual. Until such time as the Banning Letter has been reviewed and/or modified by the Library Director or reversed on appeal by the Library Board, the individual may not use the library.

### **Alternative Juvenile Banning Procedure:**

Discretionary Restricted Library Use for Juveniles: As an alternative to banning a juvenile, a supervisor and a staff member may restrict a juvenile from independent use of a specified library site for a period of 30 days (first restriction) or 90 days (second or more restriction(s)). The juvenile whose library use is restricted may use the library during the specified period only when the juvenile is accompanied by a responsible parent or guardian. The juvenile's parent or guardian must be notified of the restriction via certified mail. Failure to abide by the restriction may lead to banning of the juvenile from all library premises.

### **Appeal Procedure:**

1. Notice of Appeal. The Library Director's written determination may be appealed to the Library Board, if the individual aggrieved files a written notice of appeal within 10 days after he/she receives the determination. Such notice shall be filed with, both the Library Director and the Library Board President, c/o Ontario City Library, 215 East C Street, Ontario, CA 91764. The Library Board will discuss at the next available Library Board meeting at which the appellant may speak on his/her behalf.
2. Decision. Within 30 days of the completion of the meeting, the Library Board shall issue a written decision stating the reason(s) therefore. The Library Board shall have the power to affirm or reverse the written determination or to remand it to the Library Director or designee with instructions for reconsideration. The decision, except for remand, shall be a final determination for the purposes of judicial review.

### **Non-compliance with Ban - Enforcement:**

If a banned individual enters any Ontario City Library before the return date listed in the "Banning Letter," police will be called and individual may be arrested for violating Section 5-32.04 of the Ontario Municipal Code.

Adopted by Ontario City Library Board of Trustees, February 2022

## Banning Letter Template:

To:

Care Of *(if customer banned is a minor)*:

On (date) at approximately (time) you were observed at the (location) Library. At that time you were:

- INTOXICATED
- LOUD AND DISTURBING
- IN THE LIBRARY DESPITE BEING PREVIOUSLY BANNED UNTIL \_\_\_\_\_
- OTHER CONDUCT (As set forth below)

COMMENTS:

Because of the behavior listed above, and/or other history of inappropriate behavioral conduct at any Ontario City Library, you are banned from all Ontario City Libraries until the date listed below. If you enter any Ontario City Library before the return date listed below, police will be called and you will subject to being arrested for violating Section 5-32.04 of the Ontario Municipal Code.

You may file a written request to Director, Ontario City Library, 215 East C Street, Ontario, CA 91764 to reconsider this ban from all Ontario City Libraries. Your written request shall set forth your reasons for reconsideration of the ban.

For juvenile customers, the library will consider restricted use during the specified period only when the juvenile is accompanied by a responsible parent or guardian. Responsible parent or guardian must contact the Library Director at the address above to request restricted use. Failure to abide by the restriction may lead to banning of the juvenile from all library premises.

THE LENGTH OF THIS BAN FROM ALL ONTARIO CITY LIBRARIES SHALL REMAIN AS STATED IN THIS DOCUMENT UNLESS THE DIRECTOR ISSUES A WRITTEN DETERMINATION ALTERING THE TERMS OF THIS DOCUMENT.

BANNED FROM LIBRARY: (date)

RETURN DATE: (date)

Staff initials: \_\_\_\_\_