

## CUS-2 Unacceptable Behavior, Conduct, and Acts in the Hingham Public Library

- **Policy Statement:** To ensure appropriate use of the Library and its resources, and to further ensure the safety and respect of visitors and staff, the Library Board of Trustees has adopted regulations prohibiting unacceptable behavior, conduct and acts in the Library.
  
- **Definition:** Unacceptable behavior is behavior that disrupts the normal functioning of the Library and which, consciously or unconsciously, interferes with other's use of the Library or disrupts the Library environment. Below are examples of unacceptable behaviors defined by the laws of the Commonwealth of Massachusetts and/or by Hingham Public Library policy.
  
- **Regulations: The following behaviors, conducts, and acts are not permitted in the Hingham Public Library:**
  1. Creating a noisy disturbance or persistent loud talking [C. 272, s 41].
  2. Behavior which endangers persons and property or disrupts the atmosphere of the Library; such as running, wrestling, sleeping or other physical activities inappropriate to a Library. In the case of personal injuries or property damage caused by minors, the parents/guardians will be subject to penalties [C. 231, s. 85G].
  3. Deliberate littering within the Library or on its grounds.
  4. Use of obscene, abusive or profane language, either oral or written, as well as derogatory gestures.
  5. Threatening behavior, either verbal or physical, with or without a weapon, directed toward any other library patron or staff member.
  6. Any malicious misuse, destruction, damage to, or theft of library books or property [C. 266, s 99-100].
  7. Open and/or continued defiant behavior toward any staff member or library patron.
  8. Smoking or being in possession of, and/or appearing to be under the influence of alcohol or illegal drugs.
  9. Failure to comply with a reasonable request to present library materials for inspection upon activation of a theft detection alarm.
  10. Misrepresenting one's identity in the conduct of business with the Library.
  11. Parents/guardians leaving children age 8 and under may not be left unattended or alone in the Library.

12. Entering a non-public area of the Library without permission of a staff member.
13. Failure to promptly follow directives of library or public safety officials during a building emergency.
14. Failure to promptly leave the Library at closing time.
15. Drinking or eating food in areas other than the café.
16. Failure to confine cell phone use to posted designated areas.
17. Bicycles, roller blades, skateboards, scooters, strollers or similar equipment in the building, parking lot, or anywhere in which they interfere with patron's access to the building. Bicycles should be left in the bicycle rack.
18. Soliciting, petitioning, campaigning, or distributing non-library materials inside the building.
19. Animals or vehicles except as required by persons with disabilities.
20. Patrons not wearing shirts, shoes or appropriate attire. Swimsuits are deemed inappropriate attire for library visits.
21. Other conduct deemed by library staff to be inimical to carrying out the mission of the Library.

Approved by the Hingham Public Library Board of Trustees on March 17, 2004.

- **Procedure: Actions to be taken arising from unacceptable behavior/conduct**

Formal actions may be enforced by staff based on their judgment of specific facts and circumstances. Before formal action is initiated to address unacceptable behavior/conduct, a patron normally should be given an informal warning. For example, if a group of students are studying and occasionally become loud, asking them to keep their voices down need not be a formal warning. This is a common issue and would not typically lead to the removal of a patron from the building. In other words, the staff member may ask patron(s) to cease certain unacceptable behavior/conduct *before* a “first warning” is issued or more serious action is taken.

Behavior or conduct that interferes with or disrupts the Library environment warrants a first warning. It is also important to make the patron(s) aware that a “first warning” has been issued. If any of the patron(s) continues the unacceptable behavior/conduct, an explicit “second and final warning” should be issued and the patron should be warned that, if the unacceptable behavior/conduct continues, the patron will be required to leave the Library.

- **If a patron exhibits any unacceptable behavior/conduct, the following actions will be taken:**

1. If a patron exhibits unacceptable behavior/conduct, the patron must be told his/her behavior or conduct is unacceptable in the Library, and must stop immediately. The patron also must be told that this is a first warning.
2. The Reference, Children’s, and/or Circulation desks may be made aware of the warning, if staff involved deems it appropriate.
3. A patron who continues to engage in unacceptable behavior/conduct will be told that, if her/his actions continue, s/he will be asked to leave the Library. This is the second and final warning and that expulsion from the Library is the next step and the patron should be so informed.
4. If the unacceptable behavior/conduct continues, despite the previous warnings, the patron’s name and phone number will be taken and verified, if possible. The patron will be informed that s/he must leave the Library premises (inclusive of grounds) and s/he is not to return before the next business day. If the patron refuses to leave, or re-enters through a different department, s/he should be warned that if s/he doesn’t leave for the day the Hingham Police will be called.
5. Staff shall fill out an Incident Form and deliver it to the Circulation office.

\*Do not hesitate to contact a supervisor, or the Library Director, if you feel assistance is needed.

\*Do not hesitate to show patrons the behavior/conduct policy as evidence of the Library’s policy.

\*As with all policies, there must be an element of flexibility based on individual facts and circumstances. At the same time, the staff must strive for consistency in the application and enforcement of this policy.

\*Under no circumstances should library personnel touch or try to restrain a patron as part of the foregoing process.

**Actions to be taken in case of repeated removals of a patron from the Library:**

1. The 2<sup>nd</sup> time a patron is asked to leave s/he will be barred from the Library for one week.
2. The 3<sup>rd</sup> time a patron is asked to leave s/he will be barred from the Library for one month, with a letter to be sent to the patron or parent/guardian, by the Library Director or her/his designee.
3. In extreme circumstances, the Library Director may recommend to the Library Board of Trustees that a patron's library privileges be suspended for more than one month based upon the nature and history of the unacceptable behavior/conduct and the patron's history of non-compliance with the policy. After reviewing the patron's history of non-compliance with the Library Director, a sub-committee of the Library Board of Trustees appointed by the President of the Board to investigate the violations may offer the patron the opportunity to make an oral or written statement. Upon completion of its investigation, the Library Board of Trustees' sub-committee shall determine if a recommendation of an indefinite suspension shall be placed before the full Library Board of Trustees for consideration. A decision to suspend requires a majority vote of the Library Trustees present at a publicly posted meeting with a quorum of the Board members present. The patron may be present and speak at any such meeting. A written notice of this suspension and its terms shall be sent to the patron.
4. The Hingham Police Department may be called to have removed a patron who fails to comply with a directive to leave or not to enter Library premises.