

DATE: 7/3/91
REVISED 11/09

CONDUCT

2.3 Implementation of Rules of Conduct—Prohibition Letters

APPLICABLE CBJ ORDINANCES

03.20.040 Denial of Library Use

1. The librarian may prohibit the use of the public library facilities by any person who willfully or persistently violates any rule or regulation prescribed for the operation of the facility or whose physical condition or actions are deemed dangerous, or substantially interfere with the right of other persons to the use of the library for library purposes. It is unlawful for a person to violate such a prohibition.
2. It is unlawful for a person who is in violation of subsection (a) to fail to leave a public library facility if the librarian or other person in charge has ordered such violator to leave (Serial No. 71-50 4 (part), 1971: CBJ 03.30.025).

PROHIBITION LETTERS

A prohibition letter may be prepared in advance by the Library Director after repeated incidents have established a pattern of behavior that warrants issuance of the letter. Staff may serve these letters in the absence of the Library Director, either when the patron next returns to the library or when another incident occurs.

Serious incidents may happen when the Library Director or designee is not on site and when there has not been opportunity for a letter to be prepared in advance. In cases when the police or emergency services must be summoned to remove someone from the facilities, the senior staff person on duty is authorized to issue a prohibition letter for 30 days, subject to review by the Library Director.

Only the Library Director or designee may restrict access to the library for a period exceeding 30 days. The Library Director will institute a patron appeal process from this decision.

When any serious incident occurs, or an individual is asked to leave the library, the senior staff member on duty shall prepare a written account for the Library Director by the end of that person's next working day.

A prohibition letter may:

- Prohibit entry to all Juneau Public Libraries branches or to a single branch; or,
- Allow entry to the premises, but limit use of the library subject to certain times, conditions, and activities. For example, allow use of the library, but deny internet or computer use, or allow library use by minors only when accompanied by an adult parent or guardian.
- Be effective for a specific, designated time; or,
- Be effective "until revoked in writing by Library Director." A meeting with the Library Director or designee may be required to develop a satisfactory plan for the patron's future compliance with library conduct rules.

Those served a prohibition letter "until revoked in writing", may request that the Library Director restore their full library privilege after a designated period and after demonstrating that the behavior that caused the initial prohibition will not be repeated.

Upon request, the library will work with those denied physical access to the library in order to find alternate ways to fulfill their information needs until their library privileges are restored.

Restricted Library Use for Juveniles

As an alternative to prohibiting library access for a juvenile, the Library Director may restrict the independent use of a specified library site or library service, such as library computers or the internet, by a juvenile for a period of 30 days (first restriction) or 90 days (second restriction). 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 prohibiting the juvenile from library premises for up to one year.

Appeal Process

An individual may appeal restricted or lost library privileges within fourteen days of notification of loss of privileges. Appeals must be in writing and should be addressed to the Library Director, Juneau Public Libraries 292 Marine Way, Juneau, AK 99801. The Library Director will respond within fourteen days of receipt of the written appeal.

If the loss of library privileges is indefinite or in excess of one year, the individual may reapply to the Library Director in writing after one year of the initiation of the prohibition.

Final appeal is to the City Manager or his/her deputy.

During the time of any appeal process, the suspension of library privileges will remain in effect.