

Law Library Rules of Conduct

Adopted by the Law Library Board of Trustees 03/28/2022

POLICY

Humboldt County Law Library users have the right to quality service in an atmosphere that is respectful, safe, clean, and free of disturbances. Behavior that disrupts or obstructs others' use of the library, threatens the safety or health of patrons or staff, or inhibits the ability of staff to perform their duties is strictly prohibited (CA Penal Code sec. 602.1(b)).

The Law Library's Rules of Conduct are designed to ensure equitable community access to library services and have a threefold purpose:

1. To protect the rights and safety of library patrons,
2. To protect the rights and safety of staff members, and
3. To preserve library materials, facilities, and property.

Humboldt County Law Library reserves the right to restrict the use of its facilities and premises for anyone who does not abide by the Law Library's Rules of Conduct.

Failure to comply with the Law Library Rules of Conduct, library signage, or the directives of library staff or security personnel, or to cooperate with staff or security personnel in their enforcement of these rules, may result in the loss or suspension of library privileges, including but not limited to temporary or permanent removal from library premises by library staff, security personnel, or a peace officer.

Library patrons who observe violations of the Law Library Rules of Conduct are encouraged to notify library staff or security personnel immediately.

1. Prohibited Items

Users shall limit their carry-in items to those materials necessary to accomplish their legal research. To ensure free passage in walkways and aisles, personal possessions should be stored under tables, desks, or carrels.

In addition to the prohibited items listed below, the library reserves the right to limit the size and number of items brought into the library.

- A. Weapons of any kind. (CA Penal Code 171b).
- B. Alcohol, marijuana, illegal drugs, and smoking or vaping paraphernalia.
- C. Bicycles, scooters, skateboards, skates, shopping carts, or other large wheeled conveyances. Wheelchairs and strollers are only permitted if being used for the transport of an adult or child.
- D. For the safety and health of patrons and staff, bedding, bedrolls, blankets and sleeping bags are not permitted in the library.
- E. Bringing excessive number or size of bags or other personal belongings into the library, as determined by library staff.
- F. Bugs or lice on your person, clothing, or personal items.
- G. Clothing or items that emit odors, including odors caused by perfume or other scented products, that are pervasive, offensive, or disrupt others' ability to work, as determined by library staff and constitute a nuisance.
- H. Animals, except for service animals.
- I. Food and drink, except in when medically necessary.
- J. Distributing or posting printed materials that has not been approved by the library.

II. Disruptive Behaviors

This category includes any behavior that interferes with the reasonable use and operations of the library. Library staff or security personnel will advise the patron of the violation and request they change the disruptive behavior. (1st warning)

Continuing to engage in the disruptive behavior after the 1st warning will result in the immediate suspension of library privileges for the day. Subsequent disruptive behavior violations will result in the suspension of library privileges for longer periods.

A. Loud Noises/Conversations

- 1. Loud, unreasonable, or disturbing noises created by persons, electronic devices, computers, or cell phones. If a conversation or device can be heard from more than 5 feet away, it is presumed to be disturbing others. Individuals engaged in loud or extended conversations will be asked to leave the library.
- 2. Talking on a cell phone inside the Law Library. Ringtones must be set to silent or vibrate.
- 3. Listening to audio on a computer or electronic device without headphones.

B. Odors, Hygiene & Clothing

1. Parcels, clothing, or bodily hygiene that emit odors, including odors caused by scented products, that are pervasive, offensive, or disrupt others' ability to work, as determined by library staff.
2. Bringing bugs or lice into the library on your person, clothing, or belongings.

Patrons exhibiting either of the above must leave the library, but may return when the condition is corrected.

3. Inappropriate use of Building Restroom, including washing clothes, shaving, or bathing.
4. Failing to wear shoes, a shirt/top, or skirt/pants.

C. Personal Possessions

1. Leaving personal items unattended for longer than 10 minutes. Unattended items may be confiscated and destroyed. The library is not responsible or liable for personal items that are lost, stolen, or damaged in the library.
2. Briefcases, backpacks, packages, purses, and outer garments may be subject to inspection for library materials at any time (CA Penal Code § 490.5).

D. Library Spaces, Furniture, and Walls

1. The library should not be used in lieu of an office.
2. Monopolization, obstructing, or blocking of library space, including aisles, resources, equipment, furniture, or computer stations with personal possessions, including electrical cords.
3. Moving furniture, including tables, carrels, or wooden chairs without staff approval.
4. Placing your head, feet, or legs on library furniture; or sitting on floors, countertops or tabletops.
5. Running, jumping, or climbing on library furniture.
6. Distributing or posting printed materials/literature without staff approval.
7. Sleeping and Similar Behaviors.
8. Sleeping or appearing to be sleeping at a library carrel, table, or computer station, or sleeping or lying down on the floor.
9. Library staff or security personnel will attempt to wake patrons who appear to be unconscious or asleep.

E. Food and Drink

1. Any food items, or beverages in uncovered containers. Food consumption is not permitted unless medically necessary.

F. Smoking and Vaping

1. Smoking or vaping in the library or within 25 feet of library entrance/exit.

G. Unattended Children

1. Leaving a child (15 and under) unattended by a parent or other caregiver. The library is not responsible for unattended children.

H. Animals

1. Bringing animals into the library, except for service animals.

By law, library staff are permitted to ask the following questions about an animal brought into the library:

- a. *Is this a service animal required because of a disability?*
 - b. *What work or task has the animal been trained to perform?*
(28 C.F.R. * 36.302(c)(6)).
2. Service animals must be under the control of their patron handler at all times, on a short leash or in a carrier, and may not cause disruption, noise, or damage to library property.
 3. Animals may not block aisles or walkways, be on furniture, or be fed/watered in the library.

I. Soliciting, Panhandling, or Begging

1. Soliciting in the library- offering patrons or staff goods or services for sale.
2. Soliciting library staff or other patrons for legal advice or assistance, and/or monopolizing staff time with unreasonable requests.
3. Panhandling or begging (CA Penal Code 647(c)).

J. Photography and Filming

1. To protect the privacy of patrons and staff, there shall be no photography, filming, nor audio recordings permitted on library premises without prior authorization from the Library Director.

K. Law Library Reserved for Law-Related Activities

1. Access and use of the library's computers, facilities, and services is reserved for persons preparing a legal matter, engaged in legal research, or in legal information studies.

Library staff may require people to leave the library if they are not engaged in activities associated with legal research.

III. Significant Violations

This category includes unlawful, unsafe, or seriously disruptive behaviors, including interfering with library employees in the performance of their duties, obstructing or intimidating patrons of the library, damaging library property, or entering non-public areas without authorization (CA Penal Code sec. 602.1(b)).

Significant violations will result in the immediate suspension of library privileges for a period of 7 days or longer. The Library Director or the Director's designee will instruct anyone displaying these behaviors to leave the library facility immediately. Law enforcement may be called and additional legal action may occur, as appropriate.

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 Library Director or the Director's designee will determine and assign the appropriate suspension period. A No Trespass or Stay Away order may also be pursued, as appropriate.

- A. Engaging in any activity prohibited by federal, state, or local law.
- B. Fighting, challenging to fight, yelling at, or stalking library staff or patrons.
- C. Abusive, harassing, threatening, intimidating, insulting, belittling or obscene language (including name calling), gestures or behaviors directed towards library staff or patrons. This includes prolonged staring.
- D. Sexual misconduct or harassment, including sex acts, exposure, touching or soliciting.
- E. Carrying or displaying weapons of any type. (CA Penal Code section 171b)
- F. Possessing, consuming, or being under the influence of alcohol, marijuana, or illegal drugs, or displaying drug paraphernalia.

- G. Theft, damage, or destruction of library property or the property of others. (CA Penal Code section 490.5)
- H. Entering staff areas without staff approval.
- I. Refusal to follow reasonable direction from library staff or security personnel.
- J. Any person who refuses to leave when asked shall be considered a trespasser.
- K. Trespass by suspended patron. Patrons who are suspended are not permitted to use library services or enter onto library property. Patrons entering or attempting to enter the library while suspended may be arrested and prosecuted for unlawful entry under CA Penal Code 602.1(b).

ENFORCEMENT

Suspensions

Failure to comply with the library's established rules and policies may result in expulsion from the library and suspension of library privileges for a period of one day to one year, and/or in arrest and prosecution under CA Penal Code sec. 602.1(b). The library may pursue additional legal action, as appropriate.

The Library Director or the Director's designee will determine and assign the appropriate suspension period based on the severity of the violation.

Any patron suspended from the library for a period longer than one day shall receive a written "Suspension Notice" explaining the grounds for the suspension.

- ✚ Patrons who are suspended are not permitted to use library services or enter the library.
- ✚ Any person who refuses to leave when asked or re-enters the building during the term of his or her suspension shall be considered a trespasser and may be arrested and prosecuted for unlawful entry under CA Penal Code 602.1(b).

APPEALS

Any person whose library privileges have been suspended or revoked for more than seven days shall have the right to file an appeal with the Library Board of Trustees.

- The appeal must be filed within seven calendar days of the date the “Suspension Notice” was issued.
- In the written appeal, the suspended patron must provide contact information, a concise statement about why they believe the issuance of the suspension was invalid or unjustified, and a copy of the “Suspension Notice.”
- Suspended patrons will be asked to present a photo ID.

The Library Board of Trustees shall designate an impartial person to serve as hearing officer to hear the appeal. The hearing officer can be a member of the Board of Trustees or such other person as the Board determines is qualified to hear the appeal.

- Prior to the hearing, the hearing officer will review the Incident Report and related documentation, and any written information provided by the suspended patron.
- To ensure a timely resolution, the hearing officer shall conduct the hearing as soon as practicable.
- Based on the evidence presented, the hearing officer shall decide whether to uphold or dismiss the suspension. The suspension remains in effect until the hearing officer issues a decision.
- The decision of the hearing officer shall be reported to the Board of Trustees, the Library Director, and the person appealing the decision.
- The decision of the hearing officer shall be final and conclusive.

The Library Director will notify the patron by letter of the decision of the Board of Trustees.