



# City of Virginia Beach

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## DEPARTMENT OF PUBLIC LIBRARIES

### Policy

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| <b>Title:</b> Banning                  | <b>Policy Number:</b> VBPL-POL-0027       |
| <b>Effective Date:</b> October 1, 2016 | <b>Date of Revision:</b> February 5, 2020 |

### 1.0 Purpose and Need

- A. Customers are expected to abide by the Acceptable Library Behavior Policy. Customers exhibiting inappropriate behavior in a Virginia Beach Public Library (VBPL) facility may be asked to leave the library.
- B. The purpose of banning is to address the inappropriate behavior of a customer and to remove the individual from the library environment where members of the public and staff are affected.

### 2.0 General Guidelines

- A. The City Attorney has stated that the length of the banning should match the severity of the behavior.
  - 1. After a warning from staff, the next incident may result in a one day banning.
  - 2. Various banning periods up to one year may be issued in response to continual and/or escalating problems.
  - 3. Longer banning periods can be instituted when the problem is particularly egregious, or the inappropriate behavior escalates in severity and recurs despite prior warnings and shorter bans.
- B. The behaviors or issues listed below are illegal. The Police will be called if any illegal behavior is observed, including but not limited to:
  - 1. Writing graffiti or defacing/abuse of library property
  - 2. Pulling a fire alarm unnecessarily
  - 3. Trespassing or ignoring a ban
  - 4. Physical abuse, fighting or harassment
  - 5. Abuse of a child
  - 6. Assault of any kind
  - 7. Viewing child pornography on any library computer or network
- C. Any court ordered ban is upheld system wide. VBPL honors bans issued by Tidewater Community College (TCC) at the TCC/City Joint-Use Library.

### **3.0 Children and Youth**

- A. Children exhibiting inappropriate behavior in the library may require special consideration.
- B. The age of the child and the severity of the behavior are factors to weigh when dealing with the inappropriate behavior of a child.
- C. Staff will work to de-escalate the child's behavior before issuing a ban.

### **4.0 Specific Behaviors and Banning Lengths**

#### **A. One Day Ban**

- 1. Customers can be banned for one day for ignoring staff warnings about any of the following:
  - a. Being loud and disruptive to other customers and staff
  - b. Being rowdy, creating excessive noise, or using abusive or obscene language
  - c. Using racial slurs or fighting words
  - d. Violating the Internet Use policy
  - e. Being intoxicated
  - f. Repeatedly violating the Acceptable Library Behavior policy
  - g. Skateboarding on library property
  - h. Continuing to petition or solicit in violation of the building's policy

#### **B. One Week up to One Month Ban**

- 1. Customers can be banned for one week up to one month for any of the following:
  - a. An escalation of any of the above behaviors repeated over time after numerous warnings
  - b. Customers who have received several one day bans
  - c. Repeated hostile, malicious behavior confined to one branch
  - d. Continued repetition of inappropriate behaviors at multiple branches
  - e. Continual and escalating harassment of staff or other customers

#### **C. One Month up to Six Month Ban**

- 1. Customers can be banned for one month up to six months for any of the following:
  - a. An escalation of any of the above behaviors that resulted in a one month ban
  - b. Threat of damage to the building
  - c. A second incident of the unauthorized use of another customer's library card
  - d. Any incident occurring in two or more VBPL branches results in an automatic system wide ban

#### **D. One Year Ban**

- 1. Customers can be banned for one year for any of the following:

- a. Any illegal behaviors (no warnings are necessary when the behavior breaks the law):
  - i. Threats issued with a weapon
  - ii. Stalking (defined as “repeated conduct which places a person, or his or her family, in reasonable fear of death, sexual assault, or bodily injury” in the Code of Virginia Section 18.2-60.3)
  - iii. Sexual misconduct of any kind
  - iv. Theft of personal property
  - v. Vandalism
  - vi. Physical violence of any kind
  - vii. Making a threat of violence
- b. Repeated offensive behavior over a period of time in multiple libraries
- c. Any repeated and escalating behavior that prior bans did not correct

E. Longer than One Year Ban

1. Customers can be banned for longer than one year for any of the following:
  - a. Anyone convicted in court whose sentence includes banning from the library
  - b. Anyone convicted of viewing child pornography on library computers or networks

**5.0 Other considerations**

- A. A ban of one week or more applies at all VBPL locations.
- B. Customers who enter any VBPL location prior to the expiration of a ban are trespassing and the proper authorities will be notified.
- C. Anyone who has been banned has the right to appeal the decision. Customers may contact Library Administration to discuss the situation.

Approved by:



Eva Poole, Director of Libraries