



whatcom county  
**library system**

## DISRUPTIVE BEHAVIOR RELATED TO A PANDEMIC OR HEALTH EMERGENCY

**ADMINISTRATIVE PROCEDURE NUMBER: 6.01.03.01**

**POLICY AUTHORITY:** Conduct Policy 6.01

**SCOPE:** This procedure applies to all visitors, patrons, and staff in every facility of the Whatcom County Library System.

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### A. CONDUCT POLICY RULES

**Disruptive Behavior** is any activity which endangers the perpetrator or others, interferes with the library activity of other patrons or staff, or is illegal. This may include any activity which results in harm to library equipment or services.

During a pandemic or any other health emergency declared by federal, state, or local health authorities, Whatcom County Library System will expand and clarify its list of prohibited disruptive behaviors to comply with directives, mandates, orders, or other guidance from these authorities.

When open during a pandemic, WCLS will post a list of expected behaviors specific to the pandemic or health emergency at the entrance of each WCLS location and on the WCLS website. This notice will remain posted for the duration of the pandemic or health emergency.

A patron who is **disruptive, including non-compliance with the posted list of expected behaviors**, will be notified that the behavior is inappropriate. If the disruptive behavior continues, the patron will be asked to leave the library. If the patron refuses to leave, local law enforcement officials will be called and the patron will be trespassed. Disruptive behavior on the part of a library patron may result in the suspension of an individual's library privileges, for a length of time to be determined by the library staff.

#### **1. EXAMPLES OF PROHIBITED ACTIVITIES SPECIFIC TO PANDEMICS OR OTHER HEALTH EMERGENCIES INCLUDE BUT ARE NOT LIMITED TO:**

- a. All prohibited activities listed under Administrative Policy 6.01.03 Disruptive Behavior.
- b. Refusing to wear a face mask if mandated by federal, state, or local authorities, and if over the age of 2.
- c. Wearing a face mask incorrectly (e.g. not covering the nose and mouth) if face masks are mandated by federal, state, or local authorities.
- d. Intentionally removing a face mask to cough, sneeze, or otherwise spread germs, if face masks are mandated by federal, state, or local authorities.
- e. Deliberately taking actions to contaminate WCLS materials or facilities, such as excessive touching of library materials or other surfaces.
- f. Engaging in altercations with staff or other patrons about the need to comply with mask directives or other health directives.

#### **2. THE FOLLOWING ACTIVITIES MAY BE DEEMED INAPPROPRIATE DURING A PANDEMIC OR OTHER HEALTH EMERGENCY IF THEY INTERFERE WITH OTHERS' USE OR ENJOYMENT OF THE LIBRARY:**

- a. Refusing to follow social distancing guidelines indicated by signage; infringing on others' personal space.
- b. Refusing to vacate or refusing to wait to enter the premises as requested by staff in order to comply with building occupancy requirements.

These rules will be enforced in a fair and reasonable manner. Library staff or local law enforcement officers will intervene to stop prohibited activities and behaviors.

**Library privileges may be limited or revoked for violating any of these rules. The library may withdraw permission for a person to re-enter its facilities if the person continues violating these rules or if a person's physical condition is deemed offensive or dangerous to other library patrons (RCW 27.12.290).**

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## **B. DISRUPTIVE BEHAVIOR RELATED TO A PANDEMIC OR HEALTH EMERGENCY PROCEDURES**

1. Discuss behavior with patron (when possible have two staff members involved and consult with branch manager or supervisor if available):

- a. Ask the patron to stop the disruptive behavior.
- b. Explain which behavior is inappropriate.  
Explain why it is inappropriate
- c. Give reasonable choices with consequences--this is the warning.
- d. Staff may choose to give patron a handout with information about expected behaviors during a pandemic and alternative services available outside the library.
- e. If a member of the public makes the claim that they do not have to wear a mask because of a legal exemption to a federal, state, or local mandate, explain that WCLS's rules require masks for everyone over the age of 2, with no exceptions. Suggest curbside holds pickup service, telephone or internet reference, or loaner laptop and/or WiFi use outside the building as alternatives.

2. If the behavior continues:

- a. Ask the patron to leave for the day (see 3. Ejecting a patron from the local library, below).
- b. If the patron refuses to leave, let them know that they will be trespassed from the library for a minimum of one month. If they continue to remain at the library, call 911 (see 4. Trespassing, below).

3. Ejecting a patron from the local library / suspension of library use privilege – one day or up to 30 days

In-charge staff have the authority to eject a patron after following the five steps of explaining and warning as listed in item 1, above.

- *Suspension of library use privilege for refusal to wear a mask (if required) is as follows:*
  - Patron is asked to leave and return another day, wearing a mask.
  - If patron refuses to leave, let them know they will be trespassed from the library for a minimum of one month, and call 911 (see 4. Trespassing, below).

- *Suspension of library use privilege for refusal to comply with other expected behaviors is as follows:*
  - Patron is asked to leave and return in a specified time period (one day, one week, up to one month), complying with expected behavior. In-charge staff may determine the length of suspension of library privilege based on the circumstances and severity of the disruption. *Disruptions that warrant a longer break from library service require a trespass; call 911 (see 4. Trespassing, below).*
  - If patron refuses to leave, let them know they will be trespassed from the library for a minimum of one month, and call 911 (see 4. Trespassing, below).

- In-charge staff notify Branch Manager about the incident and complete an Incident Report form for any

- ejection that's longer than 1 day.
- Branch Manager will alert branch staff by email and insert a block in the patron's library record disallowing library use until the date noted.
- Branch Manager will alert Deputy Director.
- Branch Manager may alert other branch managers if the patron is known to use other libraries.
- Branch Manager will mail a letter to adult patrons or to minor's parent if the suspension of library use privilege is for more than one week.

#### 4. Trespassing (RCW 27.12.290)

When the behavior warrants more than 30 days of suspension of library use privilege and/or 911 is called, the patron is trespassed.

- If possible in the moment, in-charge staff complete a Letter of Trespass form and hand it to the patron.
- If patron continues to refuse to leave, in-charge staff call 911.
- Tell 911 that someone has been trespassed from your location for not complying with library policy, and they are now refusing to leave the premises.
- When law enforcement arrives, explain the situation and note the officer's name and badge number. Clarify the length of the trespass – one month for refusal to wear a mask / refusal to leave; up to one year if behavior is more extreme. If you don't know it already, have the officer confirm the person's name.
- In-charge staff notify Branch Manager about the incident and complete an Incident Report form.
- Branch Manager alerts Deputy Director and/or Executive Director.
- Afterwards, the Executive Director or a designee will make the determination of whether the trespass is systemwide or local branch only.
- If patron did not receive a paper copy of the Letter of Trespass, the Executive Director will have a certified WCLS letter of trespass mailed to the adult patron or to the minor's parent.
- Executive Director will have staff alerted by email and a block will be placed in the patron's record.
- When the person trespassed is either unidentified or not a registered borrower, the Executive Director will take appropriate steps to provide staff with any information that would assist them in identifying the person.

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**REFERENCES:** <https://coronavirus.wa.gov/information-for/you-and-your-family/face-masks-or-cloth-face-covering>.

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**STATUTORY REFERENCE:** RCW 27.12.290 Violators may be excluded.

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**REVISED** and **APPROVED** by Christine Perkins, Executive Director, October 21, 2020.