

Lincoln City Libraries
Lincoln, Nebraska

**POLICY TITLE: BEHAVIOR POLICY:
INAPPROPRIATE, DISRUPTIVE, AND/OR ILLEGAL CONDUCT**

PURPOSE

Lincoln City Libraries has established this Behavior Policy to ensure that library buildings are safe, welcoming and provide equitable access to materials and services for all library users and staff. In addition to compliance with library rules appropriate library conduct includes activities such as reading, studying, quiet reflection, properly using library materials/equipment, attending programs, meetings, and other similar conduct normally associated with a public library. Responses to **inappropriate disorderly, unacceptable, disruptive, harassing, or threatening** conduct and/or illegal activity are outlined here.

OVERVIEW

No individual may engage in **inappropriate, disorderly, unacceptable, disruptive, harassing, or threatening** conduct on the premises of Lincoln City Libraries. Such conduct includes any individual or group activity which is disruptive to other individuals lawfully using library buildings, materials/equipment and/or premises or is otherwise inconsistent with activities such as reading, studying, quiet reflection, properly using library materials and other similar conduct normally associated with a public library. Examples of various offenses are representative and not comprehensive. See Also: Code of Conduct.

DEFINITIONS

Premises shall include inside and outside areas of Lincoln City Libraries' property, including parking lots.

Banning shall prohibit an individual from being present in and/or on the premises of Lincoln City Libraries, and shall prohibit a customer from checking out physical items.

Public area shall include Lincoln City Libraries' premises that are open for public use.

Non-public area shall mean area where the public is not allowed.

Minor shall mean an unmarried person under the age of 19.

Adult shall mean a person age 19 or over, or a married person.

Director shall mean the Director of the Lincoln City Libraries, or designated representative.

Library shall include the premises, material, and services of the Lincoln City Libraries.

Staff shall mean employees of the City of Lincoln, Lincoln City Libraries.

Suspension shall prohibit an individual from being present in and/or on the premises of Lincoln City Libraries for a period of seven (7) days.

Exclusion shall prohibit an individual from being present in and/or on the premises of Lincoln City Libraries for the remainder of the day.

Inappropriate Conduct shall mean conduct not consistent with appropriate use of the library, see Level 1 Offense.

Disorderly Conduct shall mean conduct not consistent with appropriate use of the library and disruptive in nature, see Level 2 Offense.

Unacceptable Conduct shall mean conduct not consistent with appropriate use of the library and offensive or objectionable in nature, see Level 3 Offense.

Conduct disruptive, harassing, or threatening in nature to customers or staff shall mean shall mean conduct not consistent with appropriate use of the library and dangerous or aggressive in nature, see Level 4 Offense.

Permanent Banning: A lifetime Ban, which may be appealed only once every three (3) years.

LEVEL 1 OFFENSE

The following are examples of conduct that shall be deemed **inappropriate**. and not consistent with appropriate use of the library. Including but not limited to:

- Eating or drinking in non-designated areas.
- Sleeping.
- Engaging in disruptive conversations/discussions above normal conversation noise levels.
- Bringing any animal into library buildings, except trained service animals and animals for Lincoln City Libraries' sponsored programs.
- Interfering with staff in the performance of their duties.
- Leaving personal packages, such as bags, backpacks, and sleeping bags, unattended, or impeding walkways and public spaces with personal belongings.
- Moving tables, chairs, or other furniture without staff permission or putting feet on furniture.
- Persons 4 years of age and older not wearing shoes and shirts in the library.
- Other activities that are inconsistent with the normal use of public library materials and buildings.

RESPONSE TO LEVEL 1 OFFENSE

- Customer warned for first violation of any offense and warned that continued behavior will result in **Exclusion** from the premises for the remainder of the day.
- Second violation of any offense will result in a minimum of **Exclusion** for the remainder of the day.
- Any attempted reentry onto library premises during an Exclusion will result in a 7-day **Suspension**.
- Any attempted reentry onto library premises during a 7-day **Suspension** will result in a **Ban** for trespassing and LPD will be called.
- Staff response may be documented and used in conjunction with the Lincoln City Libraries' response to customer's behavior in the future.
- Staff Supervisor may notify parents/guardians of a minor's violation(s) of Level 1 Offenses.

LEVEL 2 OFFENSE

The following are examples of conduct that shall be deemed **disorderly** and not consistent with appropriate use of the library. Including but not limited to:

- Extensive staring at customers or staff, which annoys and/or disturbs.
- Skateboarding, scooter riding, bicycle riding or rollerblading in or on premises.
- Bathing, shaving or changing clothes, except for changing of a diaper.

- Canvassing, selling, bartering, soliciting or engaging in any other commercial activity.
- Leaving minors under the age of 8 unattended. Note: Minors under the age of 8 must be closely accompanied at all times by a responsible person age 13 or older.
- Using another person's library card to reserve a computer.
- Inappropriate use of youth service areas by an adult. Example: An adult observed in the Youth Services department or in the children's area of a library that is spending an unusual amount of time in that department or area and is not involved in the appropriate use of children's materials and/or is not accompanied by a child.
- Customers not following staff instructions and posted guidelines relating to addressing public health emergencies.
- Individuals with body hygiene that is so offensive it is intolerable to other individuals*.

RESPONSE TO LEVEL 2 OFFENSE

- *Individuals with offensive body hygiene will be excluded for the day.
- Customer warned that continued behavior will result in being immediately **Excluded** from the premises for the remainder of the day.
- Second violation of any offense in a one-week period will result in the customer being **Excluded** from the premises for at least the remainder of the day.
- Third violation of any offense within 30 days will result in a 7-day **Suspension**.
- Any attempted reentry onto library premises during a 7-day **Suspension** will result in a **Ban** for trespassing and LPD will be called.
- Staff Supervisor may notify parents/guardians of a minor's violation(s) of Level 2 Offenses.

LEVEL 3 OFFENSE

The following are examples of conduct that shall be deemed **unacceptable** and not consistent with acceptable library behavior. Including but not limited to:

- Being in a state of intoxication.
- Loud, abusive, indecent, or drunken conversation and/or behavior in person, by phone or by electronic means.
- Harassment or bullying of library staff, security staff, or customers.
- Minors not authorized to use unfiltered Internet using another person's library card to access a computer with unfiltered Internet access.
- Repeated violation of Level 2 Offenses (more than 3 times in a 30-day period).
- Usage of a device to intentionally expose staff to sexually graphic images.
- Usage of the computer and/or Internet so as to jeopardize the security of the computer network or other networks on the Internet or elsewhere, compromise the safety and security of others, or provide access by a minor to material that is inappropriate for a minor.
- Knowingly entering non-public areas of premises.
- Falsifying identity to obtain a library card.

RESPONSE TO LEVEL 3 OFFENSE

- Customer will be subject to being **Excluded** from the premises immediately for the remainder of the day. No warning will be given.

- Staff will end phone conversation or electronic communication.
- Staff Supervisor may notify parents/guardians of a minor's violation(s) of Level 3 Offenses.
- Customer may be **Suspended** for seven (7) days.

LEVEL 4 OFFENSE

The following are examples of conduct that shall be deemed **disruptive, harassing, or threatening in nature to customers or staff**. Including but not limited to:

- Smoking, Vaping*, use of tobacco products or electronic smoking devices inside premises.
- Drinking and/or possessing open alcoholic beverages. Patrons entering the library with sealed containers of alcohol are advised of the relevant Library Rules and required to remove the container from the premises. If there is no place to store said property, they are excluded until such time as they can dispose of the item.
- Bringing a weapon into or on premises.
- Candles, incense, pyrotechnics, or any type of flame.
- Usage of the computer and/or Internet
 - to violate the law;
 - for viewing, transmitting or downloading obscenity, including child pornography, or materials that encourage others to violate the law; and/or
 - to cause harm to others or damage the property of others.
- Directing hateful speech or conduct at staff, security staff, or customers as members of a protected class, including but not limited to race, color, religion, sex (including sexual orientation), disability, national origin, familial status, ancestry, age or marital status. See LMC 11.01.020.
- Damage, defacement or destruction of library property.
- Any illegal activity, including trespassing.
- Repeated return of borrowed materials infested with insects, including but not limited to bed bugs, cockroaches, or live insects observed on body or belongings.
- Repeated violation of Level 3 Offenses (more than twice in a 30-day period).
- Repeat of behavior that resulted in the individual being Banned for one month or more within the previous year.
- If customer returns during a three-day **Suspension**, the customer is trespassing and the Lincoln Police Department (LPD) will be called. Written documentation shall be shared with LPD with instructions to cite the individual for trespassing. In the case of a minor, they are to be referred to the County Attorney.
- Assault of another patron, staff member or contractor.

RESPONSE TO LEVEL 4 OFFENSE

- Staff, at their discretion, may provide warning(s) for Vaping prior to excluding patron*
- Customer engaging in conduct listed as Level 4 Offense will be immediately **Excluded** from the premises and will be **Suspended** for seven (7) days. See Suspension and Banning Procedure
- Generally, a customer may be **Banned** for a period of up to 36 months at the discretion of the Director. **Permanent Banning** is permitted based on the totality of the factual

circumstances. See Suspension and Banning Procedure.

- For physical assaults, damage to library property or other illegal activity, a Ban period may be Permanent
- Customers banned for insect infestations are banned until proof of treatment is provided.
- LPD will be called for illegal activities. Witnesses are asked to stay to talk to LPD.

SUSPENSION AND BANNING PROCEDURE

- Staff will issue, or cause to be issued a written notification of **Suspension**, herein after referred to as Notification of Suspension, to the customer which shall give notice to the customer the reason(s) for the **Suspension**.
- The **Suspension** shall be for a maximum period of seven (7) days and shall be a **Suspension** from all premises of the Lincoln City Libraries.
- Staff will immediately forward a copy of the Notification of Suspension to the Director. Upon a finding by the Director that there are reasonable grounds to believe a customer should be Banned from any or all of the premises, the Director, or their designee, shall issue a written Banning order, hereinafter referred to as Banning Order. The Banning Order shall notify the customer of the Ban, length of the Ban, the reason(s) for the Banning, and to what premises
- The Banning Order shall be served upon the Banned customer by certified registered mail when such customer's address is known, or by hand delivery by any staff upon the customer's entry into any premises or by any contact with the banned customer. A copy of the Banning Order shall also be provided to LPD and City Attorney's Office. Notification of the Banning Order will be provided to all staff.
- The Banned customer shall have the ability to appeal the Banning Order. See section named *Appeal Procedure of Banning Order* for further appeals information.

APPEAL PROCEDURE OF BANNING ORDER

- A Banned customer may appeal the Banning Order to the Director by filing with the Secretary to the Library Board a notice of appeal within thirty (30) days of the receipt of the Banning Order, hereinafter referred to as Notice of Appeal from Banning Order. The banned customer will hereinafter be referred to as Appellant. The Notice of Appeal of Banning Order shall contain the Appellant's name and address, and telephone number if a number is available.
- Upon receipt of a Notice of Appeal of Banning Order, the Director shall set a date certain for a hearing on the appeal within thirty (30) days from receipt of the Notice of Appeal of Banning Order. This time period may be extended with the written consent of the Appellant. The Appellant shall be notified of this date by regular mail to the address indicated on the Notice of Appeal of Banning Order.
- Patrons who receive a Permanent Ban may appeal no more than once every three (3) years.
- In order to be assured a review of the merits at the hearing, the Appellant must be present at the hearing at which the appeal is heard. Failure of the Appellant to attend the hearing may result in a dismissal of the appeal by the Director, which by operation, will leave the Banning Order in effect.
- The hearing shall occur in the presence of the Director; the Library Board President or designated representative; and the City Attorney or designated representative.

- At the hearing, evidence may be presented. The Appellant shall not be required to offer evidence at the hearing.
- After the hearing, the Director, within fifteen (15) days of the hearing on appeal, shall make a final binding written order, hereinafter referred to as Final Order. The Final Order shall be mailed to the Appellant at the address provided in the Notice of Appeal of Banning Order. The Final Order should contain the final decision of the Director and be approved to form and legality by the City Attorney or designated representative.
- The Final Order is appealable to the proper court of law.

NON-COMPLIANCE: TRESPASSING

If a banned customer enters or refuses to leave any designated premises before the return date listed in the Banning Order or the Notification of Suspension, pursuant to staff's request to leave, the banned customer will be considered as trespassing and LPD will be called.

Adopted by Library Board: August 23, 2005

Revisions Last Approved by Library Board: July 15, 2025, March 17, 2026

Revised: October 31, 2025

Reviewed by Law Department: July 3, 2025, March, 2026

NOTIFICATION OF 7-DAY SUSPENSION

Lincoln City Libraries – Lincoln, Nebraska

Revised 03.2026

NAME: _____

On _____ at approximately _____ you were observed at
(date mm/dd/by) (time a.m./p.m.)

- | | |
|--|--|
| <input type="checkbox"/> Bennett Martin Public Library | <input type="checkbox"/> Gere Branch Library |
| <input type="checkbox"/> Anderson Branch Library | <input type="checkbox"/> South Branch Library |
| <input type="checkbox"/> Bethany Branch Library | <input type="checkbox"/> Walt Branch Library |
| <input type="checkbox"/> Bookmobile | <input type="checkbox"/> Williams Branch Library |
| <input type="checkbox"/> Eiseley Branch Library | |

At that time, you were in violation of the following offense:

- Drinking or being in possession of alcohol or other illicit drugs
- Intoxicated behavior
- Loud or disturbing behavior towards customers or staff
- Trespassing
- Use of tobacco products or electronic smoking devices
- Bringing a weapon into or on premises
- Harassing, bullying or directing hateful behavior towards library staff, security staff or customers
- Any illegal activity
- Other: _____

Because of the behavior listed above, and/or other documented incidents of inappropriate conduct at Lincoln City Libraries, you are temporarily suspended from the premises and buildings of ALL library locations for seven days. If you are on the premises of Lincoln City Libraries during the suspension period, you will be considered trespassing and law enforcement shall be called.

You are suspended for the following seven days: _____ through _____.
(mm/dd/yy) (mm/dd/by)

The Director of Lincoln City Libraries will review your suspension to determine if banning is appropriate for an extended period of time. You will be notified via certified mail if further action is taken.

This action is being taken in accordance with the Behavior Policy as adopted by the Library Board.

Staff Initials: _____

Date Issued: _____

Original - Customer

Yellow – Director's Office

Pink – Branch Manager



City of Lincoln
LIBRARIES

DATE

HAND DELIVERY
USPS
CERTIFIED

NAME

NAME:

Please be advised that as of DATE, you are banned from all libraries and property of Lincoln City Libraries for a period of DAYS/MONTHS, through DATE. You are banned for a Level 4 offense of the library’s Behavior Policy, “Behavior that is disruptive, harassing, or threatening in nature to customers or staff”. The following incidents occurred at LOCATION.

Date

Description

The Lincoln Police Department has been notified of your being banned from all Lincoln City Libraries. **Failure to adhere to this notice will be considered trespassing resulting in the Lincoln Police Department being called.**

If you wish to appeal this banning, you shall have 30 days from receipt of this notice to file an appeal. Permanent bannings can be appealed no more than once every three years. You may appeal this decision by filing a Notice of Appeal with the Secretary of the Library Board, Lincoln City Libraries, 136 South 14th Street, Lincoln, NE 68508 or via email to LibraryBoard@lincoln.ne.gov. The Notice of Appeal shall consist of a letter stating your desire to have the Library Director’s decision reviewed and contain the address to which you wish to have future mailings made.

Sincerely,

Ryan Wieber
Library Director

cc: Lincoln Police Department