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Sandra M. Cooper

## MEMORANDUM

**TO:** Honorable Knoel Owen, Presiding Judge  
Sonoma County Superior Court

**FROM:** Margaret Lynch, Ph.D., Chair *ML*  
Sonoma County Library Commission  
Sandra M. Cooper, Library Director *SMC*

**SUBJECT:** Sonoma County Library Response to the Grand Jury Report

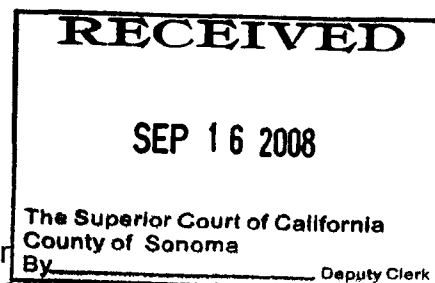
**DATE:** September 16, 2008

This response is presented jointly on behalf of the Library Commission and the Library's management.

We thank the members of the Grand Jury for their concern about the Central Library in Santa Rosa. We appreciate their understanding of the role of the public library in our communities and the challenges that we face in carrying out our mission in a fair and balanced way.

The full response for both the Commission and the Library Director is attached.

cc: Sonoma County Board of Supervisors  
Bob Deis, Sonoma County Administrator  
✓ Denise Gordon, Sonoma County Court Executive Officer  
Janice Atkinson, Sonoma County Clerk, Recorder, Assessor  
Jeff Kolin, City Manager, City of Santa Rosa  
Kathleen Kane, Executive Director, Community Development Commission  
Rita Scardaci, PHN, M.P.H., Director, Department of Health Services



**SONOMA COUNTY LIBRARY  
RESPONSE TO THE 2007-2008 GRAND JURY REPORT**

**COMMENTS ON FINDINGS**

Library would like to respond to several of the findings in the Grand Jury Report.

**F2 The homeless are utilizing the library as a shelter during daytime hours, since there is no daytime drop-in shelter available in the Santa Rosa shelter system.**

Alternate Point of View: The Library focuses on the behavior of its patrons—not on whether they are homeless. We have problem patrons who fit in a number of categories—so whether they have a home or not is not the Library's issue.

In addition, there are several shelters that are available during the day in the area of the Central Library. The City of Santa Rosa and the County Community Development Commission both contribute to the support of these facilities. Individuals make a choice about whether to use these services, and many of the most difficult patrons are those with mental health issues. Community support and services for mentally ill individuals are limited because of public policies at the state and national levels.

**F8 There has been a noticeable increase in complaints from the public and recorded incidents requiring police intervention.**

Alternate Point of View: The finding does not define a time-period for the increased incident reports and patron comments. In addition, the Central staff had not been routinely filing incident reports with the Director's Office until the past two years—nor have they been encouraging the public to file comments as proactively as they do now. We do not agree that the number of incidents has increased in the period of time since July 1, 2007, when the security guard began work. In addition, the Director's office has received written and verbal comments from patrons that support our contention that the situation at the Central Library has improved substantially since July 1, 2007.

**F13 Library volume and usage have remained relatively unchanged in the past two years despite the population increase.**

Alternate Point of View: Circulation statistics for the Central Library have been increasing since July 2007 when the Library began implementing its response to the public's concern. Circulation for July 2007 was 45,962 and for July 2008 was 52,215. The number of people entering the facility was 38,658 in July 2007 and 42,584 in July 2008.

**RESPONSE TO RECOMMENDATIONS**

**R1 Modify the Standards of Behavior to include strict, unequivocal consequences for disruptive behavior.**

Library Response: The Library has already implemented a portion of this recommendation and is in the process of completing the steps necessary to support staff in their work to implement it.

- The *Standards* adopted in September 2007 gave staff authority to take measures to deal more directly with any type of disruptive behavior.
- As required by the Library Commission, a Library staff committee completed a review of the 2007 *Standards*. The committee began work earlier in 2007 and includes public service staff from Sonoma County Library facilities countywide. The Committee developed a revision of the *Standards* policy, as well as a new policy on enforcement. There is no change in the substance of the revised *Standards*. The Library staff review indicated that the current *Standards* are working; however, they did recommend editorial changes to the document.
- The Commission adopted both policies at its September 3, 2008, meeting, and copies are attached.
- The same staff committee is working on internal operating procedures, which must be in place to give the Library staff the tools (detailed procedures, scripts, and training) to enforce the *Standards* effectively.

**R2 Incorporate no-loitering provisions into the Standards of Behavior and provide library staff and security with the necessary support and training to enforce these rules.**

Library Response: The Library will not implement this recommendation.

The Library will continue to discourage loitering informally at the entrance to the Library. Loitering is a concept that is difficult to define and enforce fairly, and prohibitions against loitering have been difficult to defend against legal challenges.

**R3 Enforce a smoke-free zone on all properties surrounding the library facilities.**

Library Response: The Library is working on this recommendation.

The Library has been working on the issue of regulating smoking on its grounds for over a year, and is enforcing a State law that allows us to ban smoking within twenty feet of the entrance to its buildings. The Library has also banned smoking in enclosed courtyards that are part of its facilities in some locations. The Library and the City of Santa Rosa are working to resolve the smoking issue at its facilities in Santa Rosa by January 2009.

This effort is complicated by the fact that, under the terms of the Joint Powers Agreement creating the Library (available at <http://sonomalibrary.org/jpa.html>); each Library building is owned by the city in which it is located (or the county if the facility is in an unincorporated area, which is true of Guerneville). Based on our Counsel's opinion, this makes authority over the grounds of our buildings unclear. The Library has leases for some of the facilities (Cloverdale, Petaluma, Rohnert Park-Cotati, Sebastopol, Sonoma, and Windsor) and is working to develop leases with the County (Guerneville), Santa Rosa, and Healdsburg. None of the existing leases defines the Commission's authority to regulate behavior on the Library Grounds.

In addition, our insurance broker advised us not to regulate activity outside the Library because it increases the Library's liability.

As a first step, the Library's management explored the possibility of adding the libraries to the City's non-smoking ordinance. We have been working with the City of Santa Rosa to resolve the issue for its Santa Rosa buildings (the primary facilities where smoking is an issue). The Assistant City Attorney believes that we must first develop a lease that clarifies liability issues and the authority of the Commission to regulate the exterior of the building. Once a lease is in place, we should be able to take steps to regulate smoking beyond the twenty-foot limit at our Santa Rosa facilities. We will then begin working to resolve the issue for facilities in other parts of the county.

**R4 Modify and strictly enforce current standards to prohibit any patron from bringing into the Library bed rolls, bundles, and**

**containers other than reasonably sized backpacks.**

Library Response: The Library will not implement this recommendation.

In 2007 and again during the staff committee review of the *Standards*, the decision was made to allow people to bring items into the Library if they “do not unpack personal belongings that are not necessary for library use” and “Leave aisles, walkways and entrances open...”

The staff members responsible for enforcing the *Standards* believe that these rules are sufficient. Prohibiting certain items explicitly makes it difficult for staff to make fair and balanced decisions about which items to ban. For that reason, the *Standards* address the behaviors and problems that result from having inappropriate items in the Library.

**R5 Prohibit cell phone use within the confines of the library**

Library Response: The Library will not implement this recommendation.

The 2007 *Standards* focus on noise—not the source of the noise. In reviewing the *Standards* this year, the staff committee recommended continuing to focus on noise—and not on cell phone use in particular. Here is an excerpt from the committee’s report explaining this decision:

*Two managers remarked that they would like the issue of allowing cell phone use in the SCL to be reconsidered. The committee discussed whether to recommend a change in the Standards so that cell phone use would be forbidden in the libraries but decided that cell phones are a fact of daily life and that cell phone use need be no more disruptive in a library than people talking. We recommend keeping the same policy regarding cell phone use since the majority of branch managers or committee members didn’t identify this as a problem. Most people using a cell phone will lower their voice or go outside if a staff member reminds them that they are disturbing other patrons by talking too loudly. The edited wording of the Standards does include the statement “Disable ringing or other sounds created by cell phones and other electronic devices.”*

**R6 Rearrange and monitor computer access to limit unintended viewing and exposure to inappropriate material.**

Library Response: The Library will not implement this recommendation.

The Library already has a policy on Internet access and clearly stated procedures aimed at promoting responsible use of the Internet. This information is all available on the Library's Web site at: <http://sonomalibrary.org/libinfo/policies/index.html>.

**R7 Make the Standards of Behavior more visible and proactively introduce it to all new arrivals in the library.**

Library Response: The Library will implement this recommendation by distributing a copy of the *Standards* to new library users to supplement the signs and brochures that are on display in the lobby of each Library facility.

**R8 Sonoma County Mental Health Division and shelter management personnel should expand their commitment to training and on-site intervention.**

Library Response: This is already being done. The Library has been working with mental health professionals and shelter management personnel in Santa Rosa for a number of years. The Library has found both groups willing to assist the Library as needed; however, lack of resources limits their ability to provide extensive assistance.

**R9 Coordinate with the Santa Rosa Police Department to schedule random but regular visits inside the library.**

Library Response: This is already being done. Stronger collaboration with the Santa Rosa Police Department was initiated in March 2007. The Library has found the beat sergeant for the downtown area willing to assist the Library as needed when other duties and emergencies do not intervene.

**RIO The Library Commission, City of Santa Rosa, and the Community Development Commission should coordinate a task force to investigate the feasibility of alternative daytime venues for the homeless community.**

Library Response: The Library Commission will not implement this recommendation because the task is not within the scope of its authority and responsibility.

Other agencies already provide day shelters to the extent possible with current financial resources. The City and the Community Development Commission, in cooperation with other agencies and

non-profits, already help fund daytime services that are available to people who chose to use them. In addition, the Community Development Commission coordinates planning for services to the homeless among agencies throughout the county.

Local government and non-profit agencies are providing services to the extent they can with the financial resources available. City, county, and non-profit staff have been supportive and helpful to the Library in its efforts to resolve problems at its Central Library.

Venues to assist homeless individuals in the downtown Santa Rosa area include:

- The Homeless Service Center at 600 Morgan Street is available during the day.
- The Living Room is open for several hours each day for women and children.
- The Brookwood Center Homeless Shelter remains open to families during the school year.
- The Interlink Self-Help Center on Fourth Street.

**R11 The Library Commission should take the "pulse of the public" by producing an annual report summarizing citizen complaints and action taken by the library.**

Library Response: The Library will not implement this recommendation. We already respond directly to patrons who submit comments about the Library's services.

Branch Managers and other management staff are required to respond directly to people who submit comments if they provide contact information. We believe that this is the most prompt and effective way to respond to concerns expressed by library users.