

**MADISON
PUBLIC
LIBRARY**

Central

201 W. Mifflin Street
Madison, WI 53703

608.266.6300 ph
608.266.4338 fax

January 21, 2015

Dear Cheryl Elkinton,

I received your appeal to your banning that was issued on January 6, 2015 for a period of 6 months. I reviewed the report and based on your past incidents coupled with this latest incident I support the decision of the Central Library staff to issue this ban. They were correct in their application of our behavior policy as listed below:

- *Engaging in any behavior that a reasonable person would find to be disruptive, harassing, or threatening in nature to library users or staff including stalking, prolonged staring at or following another with the intent to annoy or intentionally behaving in a manner that could reasonably be expected to annoy or disturb other patrons.*

The Library cannot allow for your inappropriate interaction with another patron, who was made to feel unsafe and threatened by your actions go without any consequences.

You do have an additional appeal process, listed below. Please note that if you do decide to appeal my decision to the Library Board, notification of the appeal needs to be filed in writing within 10 days of receiving this response.

Appeal Procedure:

1. Notice of Appeal. The Director's written determination may be appealed to the Library Board, if the individual aggrieved files a written notice of appeal within 10 days after he/she receives the determination. Such notice shall be filed with: both the Library Director and the Library Board President, c/o Madison Public Library; 201 W. Mifflin St., Madison, WI 53703). The Board shall hold a hearing within 30 days after the notice has been filed. The appellant shall be notified at least 10 days before the hearing.
2. Hearing: At the hearing, the appellant may be represented by counsel, may present evidence, and may call and examine witnesses and cross-examine witnesses of the other party. The President of the Board shall conduct the hearing and shall follow the Rules of Evidence provided in the Wisconsin Statutes, 227.08, for administrative proceedings. The staff shall record all of the proceedings on tape.
3. Decision. Within 30 days of the completion of the hearing, the Board shall issue a written decision stating the reasons therefore. The Board shall have the power to affirm or reverse the written determination or to remand it to the Director or designee with instructions for reconsideration. The decision, except for remand, shall be a final determination for the purposes of judicial review.

Sincerely,



Greg Mickells
Director

TYPE OF INCIDENT:

Theft/Attempted Theft Library property damage Disruptive behavior
 Injury/Illness Other

MADISON PUBLIC LIBRARY INCIDENT REPORT**Weekday and date:** Tuesday 1/6/2015**Time:** 8:20 PM**Library and area of library:** Second Floor**Person(s) involved** (other than staff) include name, address and phone if known:

Cheryl Elkinton

Description (gender, race, age, dress, etc.): Well known to staff, WF, 50's, long grey hair**Police/Ambulance called:** N**Ambulance called:** N**Witnesses** (include department for staff members and give initials for identification), addresses & phone numbers for non-staff: BP, JK, LA

Description of incident: At around 8:20 PM, BP was passing a patron as Cheryl was yelling down the aisle at the patron. The customer gave BP a "help me" look and BP approached Cheryl and informed her that she needed to stop. I was in the area and heard commotion and responded in time to witness Cheryl demand to know BP's name (which she provided) and accuse BP of discrimination. Cheryl then packed up her things and informed us that she was leaving before we called the police without telling her. She maintained that it was her right to speak, and I reminded her that the second floor was a quiet study floor. She insisted that that was not the rule. I attempted to remind her of a previous occasion where I had helped her (staying well after the library had closed - her keys had fallen into a storm drain and I retrieved them) and she then told me that I was crazy and that had never happened. She then loudly stated that we were all crazy and left the building. After she left the patron who had been accosted approached the reference desk and asked if the woman was dangerous. LA, BP, and myself then received the patrons account of the incident. The woman indicated that originally she was not sure Cheryl was speaking to her, but then Cheryl said to her "What?! Did you think I was on the phone?" The patron indicated that Cheryl accused her of putting her finger in her ear. The patron, distraught and feeling unsafe, was escorted from the premises by JJ. With this new information in mind, LA, BP and I conferred and all felt that a ban must be issued. As she has previously received a 1 month ban for similar behavior, a 3 month ban is now appropriate.

Division/Branch:**Director's signature:****Date:** 1/6/2015

Staff actions

X Report sent to MPL All _____ debarred in Koha _____ infraction in Lib on Line
 Wiki updated (if not checked Central staff will do)

This form is to be used as a follow-up report to the Library Director on thefts, behavior problems, property damage, accidents, illness of patrons, etc. Reports on accidents to staff are completed on a worker's compensation form (available in the staff office.)
[form revised 9/12]

Dot 4

11/12/15
Madison Public
Library Staff

Recently I
was banned
from the library
accused of
allowing a
fellow patron
to stick her
finger in my
ear. This is
not the actual
truth. I said
it felt like
she was when
I understood
that it is actually

②

for everyone
involved when
persons attempt-
ing to work for
the public get
curiosity drives.

It is even worse
for that person.
All I did was
use my right to
speak to the
person to

(3)

try and get
some sort
of distance

As it states
I felt like

It was being
attracted by
the library
staff next
as my way
of life is no
the same as
theirs but it
is discerning
from just the
same.

(4)

I am a US citizen
and know many
things very well
I understand my
own rights to
my independence
from religion and
my liberty rights,
while in an environ-
ment suffering the
effects of their religion
and to act in
neglect when close

(5)

It should be noted by staff that my foul behavior did not begin until after approached by staff. The staff person became non-logical after I tried to explain the dilemma when at first she approached acting nice and genuinely look like she want

(6)

ed to be helpful. In doing be previous encounters, I tried to stop at once the problem as no one could have complained. There wasnt time and the person was still in the same state, pick

(7)

as she was,
non-stop,

There was one
instance where she
appeared to first know

I had decided
to drop it right
then, but it just
didn't. I was
not loud until
walking out, and
if you think
apology is due.

(8)

big me, this
is all I can
manage,
I am asking to
lift the ban. It
Cheryl Elkinton is
wrong,
Elkinton please reply,
Cheryl Elkinton
General Delivery
205 Corporate Drive
Madison WI 53714
or cherylelkinton1
@gmail.com