

Facility Use for Political Purposes Policy

Purpose

To define the extent to which the Timberland Regional Library (TRL) facilities may be used for political purposes. This policy recognizes that some portions of library grounds may be considered public forums.

Scope

TRL believes in providing free access to ideas and information that reflect the broad range of interests in the communities we serve. Therefore, it is the policy of TRL to make designated areas on TRL premises available for the public expression of opinions and ideas where feasible. This policy is intended to serve as a guide and is not intended to describe every instance.

Policy

TRL allows use of designated parts of its facilities and premises for political uses on a nondiscriminatory, equal access basis, making such time, place, and manner restrictions as necessary for orderly conduct of normal public library operations.

TRL meeting and conference rooms are open to any individual or group on an equal basis and as such may be used for political purposes, subject to the TRL's Library Meeting Room Use Policy.

TRL allows petition signature gatherers and electioneers outside on library premises if they do not interfere with the public's access to, entry into, or exit from the building. In addition, petition signature gathering and electioneering activities:

- May be outside the library building only, and may not be in the foyer, lobby, or interior of the facility, except as allowed by TRL's Library Meeting Room Use Policy.
- May utilize outdoor walkways, plaza areas, and adjacent sidewalks as long as they do not interfere with traffic or public access to the library building.
- Are not permitted within twenty-five feet of a ballot deposit box on library premises during an election voting period.
- Are not permitted anywhere on election days at libraries designated as voter service centers.

The provision of TRL's premises for the public expression of opinion does not constitute TRL's endorsement of the opinions or ideas of those individuals and organizations using the space.

TRL libraries located in privately-owned facilities (e.g., shopping malls) may be subject to additional rules established by the facility owner(s). These rules are posted at the entrances to the facility or otherwise available from the facility owner(s).

The Executive Director will establish administrative procedures necessary to implement this policy.

Any appeal of an administrative action under this policy will first be made in writing to the Executive Director and then to the Board of Trustees.

TRL will make a good faith effort to implement this policy in a fair and consistent manner.

Background

TRL encourages all members of the public to use its facilities, services, and resources in a safe and respectful manner. As part of its normal and regular conduct of its mission, TRL provides free access to and communication of ideas and information that reflects the broad range of interests of the communities we serve.

The First Amendment guarantees the right of free speech and to petition government. Federal Courts have interpreted the First Amendment to allow for the peaceful exercise of the rights set forth in the Constitution.

Washington state law restricts the use of public facilities for political purposes. RCW 42.17A.555 states that public facilities may not be used directly or indirectly for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition, except for activities which are part of the normal and regular conduct of the office or agency. Federal courts have consistently recognized designated public library spaces as limited public forums. WAC 390-05-271 clarifies that RCW 42.17A.555 does not prevent a public agency from making facilities available on a nondiscriminatory, equal access basis for political uses.

TRL libraries may serve as ballot deposit sites for elections, subject to WAC 434-250-100. In addition, TRL libraries may serve as voter service centers on election days, subject to RCW 29A.84.510 and WAC 434-250-105.

In keeping with the fundamental principles provided by the First Amendment, and in accordance with state law, TRL may designate and make available areas on TRL premises for the purpose of public expression of opinions and ideas.

References

RCW 42.17A.555.

WAC 390-05-271.

WAC 434-250-100.

RCW 29A.84.510.

WAC 434-250-105.

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By the enactment of this policy the Board of Trustees of Timberland Regional Library is concurrently rescinding any prior policy or procedure within TRL that is either in conflict with or expansive of the matters addressed in this policy.