

SPOKANE COUNTY LIBRARY DISTRICT

POLICY: FACILITY USE FOR POLITICAL PURPOSES

Approval Date: April 15, 2003

Revision Date: February 20, 2024

RELATED POLICIES:

Code of Conduct

Library Meeting Room Use

Bulletin Boards and Community Interest Publications

STATUTORY REFERENCES:

RCW 29A.84.510

RCW 42.17A.555

WAC 390-05-271

WAC 434-250-100

WAC 434-250-105

Purpose:

To define the extent to which Spokane County Library District (District) facilities may be used for political purposes. This policy recognizes that some portions of District owned and/or managed facilities may be considered public forums. The District imposes reasonable time, place and manner restrictions on signature gathering, political activities and election materials, and other activities or expressions of free speech in accordance with state law and to the extent necessary to prevent unreasonable interference with the public's use of the library.

For the purposes of this policy, "facility" refers to all buildings, properties, and vehicles owned and/or managed by the District.

Background:

The District 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, the District 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.

District facilities may serve as ballot deposit sites for elections, subject to WAC 434-250-100. In addition, District facilities 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, the District may designate and make available areas on District premises for the purpose of public expression of opinions and ideas.

General Policy:

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

District 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 District's Library Meeting Room Use policy.

The District allows petition signature gatherers and electioneers outside on District owned and/or managed facilities as long as they do not interfere with the public's access to, entry into, or exit from the facility. In addition, petition signature gathering and electioneering activities:

- May be outside the District facility only, and may not be in the foyer, lobby, or interior of the facility, except as allowed by the District'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 facility.
- Are not permitted within twenty-five feet of a ballot deposit box at District owned and/or managed facilities during an election voting period.
- Are not permitted anywhere on election days at District owned and/or managed facilities designated as voter service centers.

The District's Code of Conduct policy applies to any and all activities occurring anywhere on District owned and/or managed facilities.

The provision of District facilities for the public expression of opinion does not constitute District endorsement of the opinions or ideas of those individuals and/or organizations using the space.

District facilities located in and/or on property owned by a third party may be subject to additional rules established by the property owner(s). These rules may be posted at the entrances to the property or otherwise available from the property 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.

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