

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT
EASTERN DIVISION**

**Wayne Doyle
202 Southern Avenue
Springfield, Ohio 45506**

**Civil Case No CV 0003
Judge
Magistrate**

Plaintiff,

Jury Demand

v.

**John McConagha and
Clark County Library et,al
201 Fountain Avenue
Springfield, Ohio 45506**

Defendants.

Doyle v. McConagha et al

Doc. 2

MOTION OF PLAINTIFF FOR TEMPORARY RESTRAINING ORDER

**Now comes Plaintiff Wayne Doyle pursuant to Fed R.Civ.P65, to
Respectfully move this Court for immediate issuance of a restraining order
Barring defendants from prohibiting him from use or be in or on the
Grounds of any Clark County Library unless or until he exhibits
Behaviour which violative of R.C. 3917.12.**

WAYNE DOYLE

Wayne Doyle

1

INCIDENT REPORT

Branch: Dayton
 Date of Incident: 3/18/05
 Time of Incident: 2:00 PM

1. Client	Address	Post
<u>Clark County Library</u>	<u>201 South Fountain Ave. SFB</u>	
2. Police / Fire Department Notified: <input type="checkbox"/> Yes <input type="checkbox"/> No Time: Officer's Name: RPT#/Badge #		
3. Securitas Office Notified: <input type="checkbox"/> Yes <input type="checkbox"/> No Time: Name: Title:		
4. Client Notified: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Time: Name: <u>John McConagha</u> Title: <u>Director</u>		
5. Persons Involved/Witnesses (insert category of relationship letter opposite name in * column) A. Employee B. Client Employee C. Other		
*	Name / Position Title	Phone Number Organization Name and Address
	<u>Angie Jones Jones</u>	<u>937-520-6774</u> <u>Patrol</u>
6. Description of Property / Equipment (example: Brand, Model, License or Serial #, Color, Year)		
<u>None</u>		
7. Description of Incident / Injury (WHO, WHAT, WHERE, WHY, and HOW. Include all information in detail and attach statement if required.)		
<p><u>Angie Jones Jones told me Jeff Smith, Security Officer that Wayne Doyle was harrassing her on the Date of March 18th 2005. She gave me her name and number on March 20th 2005 with a full detailed complaint of the incident.</u></p> <p><u>Angie said he was following her around the library, and staring at her, making her feel uncomfortable. This was not the first time he has followed her around. Angie told me that she has seen Wayne in the Back Section of the library, messing around with young females, and romping around with them. Angie was very concerned about the well being of the young girls. On March 21st 2005 12:50pm Jim Demosey Security Officer gave Wayne Doyle the letter that the Director told him to give to Wayne Doyle. See Attached Sheet</u></p>		
Officer Name	Signature	Date & Time of Report
<u>Jeffrey S. Smith</u>	<u>J.S. Smith</u>	<u>3/21/05</u>

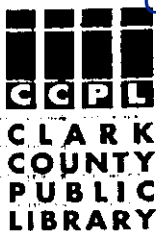
where?

Did you rape this?

FACE The Adduser

MZK

John Dempsey told Wayne Doyle that he was to leave the property, to read the letter, and that he was trespassing, but he did not leave the property. He asked to see the Director. I, John Dempsey escorted him, to the Directors Office. The Director John McConagha informed him, he was trespassing, and was to leave now, or the Police would be called immediately. Wayne Doyle said OK, and left.



The Information Place.

2

March 21, 2005

Mr. Wayne Doyle

Dear Mr. Doyle:

Because you have violated the Clark County Public Library's Code of Conduct by staring, following a library user about the library, and harassing a library user, you are banned effective March 21, 2005 until March 21, 2007 from all library facilities. The complaint against you was made to one of our security officers at the Main Library on Friday, March 18, 2005 by a female African-American library user. I confirmed the complaint by phone today.

Under the ban you are not permitted to use or be in or on the grounds of any Clark County Public Library facility. If you are on the property of any Clark County Public Library facility during the ban time period, you will be arrested for trespassing.

You may appeal this decision in writing to me within 30 days of your receipt of this letter. Your appeal may include your version of events on March 18, 2005.

Sincerely,

John McConagha
John McConagha
Library Director

3/22/05

*2nd hand
informative*

PATT

MAIN LIBRARY

201 SOUTH FOUNTAIN AVE
PO BOX 1080
SPRINGFIELD OHIO
45501-1080
937 323-9751
FAX: 937 328-6908
www.ccpl.lib.oh.us

HOUSTON BRANCH

5 W JAMESTOWN ST
BOX 127
SOUTH CHARLESTON OHIO
45368
937 462-8047

**INDIAN MOUND
BRANCH**

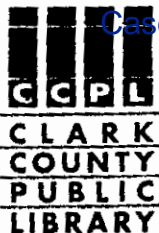
45 INDIAN DR
ENON OHIO
45323
937 864-2502

PARK CENTER BRANCH

1119 BECHTLE AVE
SPRINGFIELD OHIO
45504
937 322-2498

**SOUTHERN VILLAGE
BRANCH**

1123 SUNSET AVE
SPRINGFIELD OHIO
45505
937 322-2226



The Information Place.

3

April 25, 2005

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Mr. Edwin A. Grinvalds, Esq.
12 West Main Street
Springfield, Ohio 45502

Re: Wayne Doyle Appeal Decision

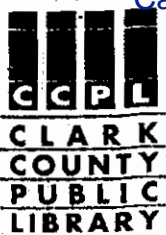
Dear Mr. Grinvalds:

This appeal came before me, the Clark County Public Library ("CCPL") Director, on Friday, April 15, to determine whether Mr. Wayne Doyle should be suspended from the library for violating the Library's Code of Conduct.

CCPL's Code of Conduct states that "Patrons shall respect the rights of others and shall not harass or annoy others by acts including, but not limited to: staring, following another person about the building, or behaving in a manner which reasonably can be expected to disturb others." A library patron ("Complainant") reported that Mr. Doyle was harassing her by staring and following her around the library. This behavior is in violation of CCPL's Code of Conduct.

In making my decision, I have considered the report of the security guard, my phone call to the Complainant, the affidavit of Stephanie Southers as well as Mr. Doyle's statement given at the appeal hearing. I found the Complainant's version of what happened and the security guard's report to be credible. The Complainant's statement that she made to me was consistent with what she reported to the Officer. I did not find Mr. Doyle's version of what happened on March 18, 2005 credible.

At the hearing, Mr. Doyle was given an opportunity to tell his side of the story. He denied that he followed the Complainant around the library, and was staring at anyone. Mr. Doyle did however acknowledge that he frequently sits in the Teen Room. Although he denies the Complainant's report of what happened, Mr. Doyle was not able to offer an explanation of why the Complainant would fabricate such a story.



The Information Place.

Re: Wayne Doyle Appeal Decision (continued)

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Therefore, I will reinstate the suspension effective immediately until March 21, 2007, from all library facilities. As detailed in my letter sent to Mr. Doyle on March 21, 2005, Mr. Doyle is not permitted to use, be in, or on the grounds of any Clark County Public Library facility. If Mr. Doyle is found on the grounds of the Clark County Public Library, he will be arrested for trespassing.

Sincerely,

John McConagha
Library Director

cc: Wayne Doyle
Johnny Pryor, Esq.

4.25.05

the second conviction

WAYNE DOYLE
STATEMENT given
TO JOHN McCONAGHA

(4)

UN verified

HEAR - SM

- SEVERAL OCCASIONS
- FROM OUT OF TOWN
- OCCASIONALLY USES CCPL

March 30, 2005

Notes from John McConagha's phone call to complainant regarding March 18, 2005 incident:

John McConagha, Library Director, called the complainant on March 21, 2005, regarding harassment by Wayne Doyle. The complainant, an African-American female adult, informed me that Mr. Doyle had been staring at her and following her on several occasions. When asked for a specific date/time, she indicated that one instance was in the afternoon on Friday March 18, 2005. The complainant said that she was from out of town and only occasionally uses CCPL, but was in the library to do some research. She further indicated that she observed Mr. Doyle staring at and following teenagers and younger children. The complainant said that Mr. Doyle situated himself in the Teen Room at the Main Library in such a way as to be able to stare at teenage children in the Teen Room and to stare at young children in the adjacent Children's Room. She observed the same behavior from Mr. Doyle toward herself and others on Saturday, March 19 as well. She filed a complaint with the library security officer on Sunday, March 20.

A Statement From Wayne Doyle

I also have witnesses from security staff name John Dempsey, on the second page of the incident report, that there were no teens or children in the teen area at no time, when I was using the area alone to read certain book that were in that area.

Other adults use the same area ~~with~~ without CCPL

5

October 23, 2006

John McConagha, Director
Clark County Public Library
201 Fountain Avenue
Springfield, Ohio 45506

Re: PUBLIC RECORDS REQUEST

Wayne Doyle v. Clark County Library

This is a public information request for a copy of any and all reports, documents, recordings in your care,

These materials should include but not limited to: (1) Angie Jones March 20, 2005 written detailed statement.

(2) Angie Jones recorded statement taken by John McConagha on or about March 20, 2006.

I would appreciate your prompt and immediate response to this request.

Wayne Doyle
202 Southern Avenue
Springfield, Ohio 45506

10/31/06

① THERE IS NO WRITTEN STATEMENT FROM ANGIE JONES

② ANGIE JONES RECORDED STATEMENT FROM 3/21/05 IS ENCLOSED.

John McConagha