

## ATTACHMENT I

### REVIEW OF LIBRARY FINES AND FEES

There have been several articles published lately focusing on libraries and fines. We will review EPL's fine and fee policies for your information.

**The New York Times** | <http://nyti.ms/232ZXD7>

U.S.

# In San Jose, Poor Find Doors to Library Closed

By CAROL POGASH MARCH 30, 2016

SAN JOSE, Calif. — When Damaris Triana, then 8, lost several “Little Critter” books that she had borrowed for her sister, the library here fined her \$101 — including \$40 in processing fees — a bill that was eventually turned over to an agency to collect from her parents.

The \$101 is a small part of a whopping \$6.8 million in unpaid fines at the San Jose Public Library, an amount that exceeds unpaid fees at some larger cities around the country. It also exceeds other Bay Area cities like Oakland, which has \$3 million in outstanding fines, and San Francisco, which has \$4.6 million. In San Jose, when the late fee hits \$50, the library refers the debt to a collection agency.

As the total of overdue fines has increased, so has the number of cardholders who owe \$10 or more and are prohibited from borrowing materials or using the library’s computers. Damaris, now 10, relies on her cousin’s card or uses her school’s library, where there are no fines for late or lost books.

The concept of free public libraries gained support in the 1830s and was popularized by the industrialist Andrew Carnegie, who helped build 1,689 libraries around the country in the late 1800s and early 1900s on the notion that all people should have an opportunity to improve themselves. But public libraries like San Jose’s are struggling to find money to pay for books and services.

In San Jose, libraries began charging 50 cents a day for an overdue book, and what Jill Bourne, who became director of libraries in 2013, called “an exorbitant processing fee” of \$20 for lost materials. Those high fines have come at a cost.

In impoverished neighborhoods, where few residents have broadband connections or computers, nearly a third of cardholders are barred from borrowing or using library computers. Half of the children and teenagers with library cards in the city owe fines. Around 187,000 accounts, or 39 percent of all cardholders, owe the library money, Ms. Bourne said.

Outsiders might think that “everyone in Silicon Valley is affluent and hyperconnected,” said Mayor Samuel T. Liccardo. He represents San Jose’s one million residents, 40 percent of whom are immigrants. “We still have a digital divide.”

“The kids who are barred from the door of the library are the ones we most desperately want to reach,” he said.

In some immigrant neighborhoods, Ms. Bourne said, “there is a fear of government interaction. As soon as people hear there is the potential for being penalized by the government, they want to stay away from that service.”

In February, Ms. Bourne appealed to the San Jose City Council to consider offering amnesty to borrowers saddled with fines and lowering the daily penalty for late books for children to 25 cents. She said in an interview that she also wanted “to revisit” the use of a collection agency. In a memorandum, she wrote, “Library policies are not intended to prevent or restrict any individual’s ability to access library resources and services,” but she added, “this may be the unintended consequence.” Her proposal has been heard by a council committee. Next month, the entire City Council is expected to consider the proposal.

Last year, the library collected \$877,948 in fees. Ms. Bourne says she considers the fee revenue to be “an artificial sum,” dependent on people not returning items. “I want to make it easier for people to keep their accounts active and not rack up debt as they have in the past,” she said. She hopes that “if more people are using the

library, it's possible we will still recoup a similar amount annually." The library's budget this year was \$58.9 million.

Adriana Leon, a mother of three, owes \$30 for 15 books that she said she dropped off late on a Friday. She said the library incorrectly charged her for being three days late. Now, she no longer borrows books and is teaching her daughter not to borrow, either. "I try to explain to her: 'Don't take books out. It's so expensive,'" she said.

Ms. Bourne has heard that before: Children tell her, "My mom won't let me get a card because she doesn't want fines."

"That's not what you want a public library to be," she said.

On a weekday afternoon, the light and airy children's area at the Biblioteca Latinoamericana, a branch library near downtown, was nearly empty. In the children's section, only Alexander Ramirez, a sixth grader, occupied a computer. "I always bring books back on time," he said. "I'm really careful."

Alexander is more careful than most. Half of the current cardholders at the Biblioteca branch owe money, and most — 65 percent — are barred from borrowing materials and using computers because they owe \$10 or more.

San Jose's charges are exponentially higher than comparable cities like San Francisco, where there is no charge for late materials for users 17 and younger and a charge of 10 cents a day for adults.

"Fifty cents a day for middle-class families is a slap on the wrist," said Maria Arias Evans, the principal of Washington Elementary School in San Jose, which is behind the Biblioteca Latinoamericana. Given the choice between paying fines "and putting food on the table and a roof over the children's head, it's a no-brainer: It is better not to check out library books."

She added, "Accumulating fines for families whose income is, on average, \$30,000 a year with monthly rents at \$1,600 for a one-bedroom apartment is much more of a burden. Ninety-five percent of Washington's students qualify for the free and reduced lunch program."

Graciela Leon, whose children attend Washington, was a few days late in returning 10 children's books and, she said through an interpreter, she lost one movie. With five children, her husband's \$35,000 income and \$1,500 rent for a two-bedroom duplex, she said she could not afford the \$40 fine.

The problem of late fees is so widespread that the American Library Association has addressed the issue. In a little-known policy objective, it calls for "the removal of all barriers to library and information services, particularly fees and overdue charges."

"Public libraries would not have existed for centuries if most people didn't follow the rules," said the association president, Sari Feldman. "We are also very attentive to creating a barrier-free environment that enables all people to use libraries and have equitable opportunity in our country."

While many libraries have loosened rules on overdue fees, some have not. Texas enacted a law in 2013 granting county libraries the power to file lawsuits in extreme cases against borrowers who fail to return library materials. Gloria Meraz, the communications director for the Texas Library Association, said while the law gave libraries greater clout, she had not heard of any lawsuits.

At the Queens Public Library in New York, young people owe \$1.45 million in fines. While that is a significant amount, Joanne King, the director of communications, said, "We're very concerned about people not being able to use the library."

Those who cannot pay money, she said, can pay down their debt with reading time in the library. The program lets children and young adults through age 21 spend time reading in the library to earn financial credit to pay fees.

"Unpaid fines are part of the cost of doing business," said Joseph Keenan, Newark's interim library director. "If you have a family with kids and they don't return the materials, do you want to say, 'You can't use the materials?' Absolutely not."

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## **LOST/DAMAGED MATERIALS FEES, RECEIPTS AND REFUNDS**

### **FEES FOR LOST/DAMAGED MATERIALS**

Patrons reporting lost material will be required to pay the cost of the item as listed in the computer or the average retail price for that type of material - whichever is higher - plus a processing fee. For cataloged paperbacks, the average retail price for nonfiction will be the price of "trade" publications while the average retail price for fiction will be the price of "mass market" publications. In addition to paying for the material, individuals losing catalogued library material will also be responsible for paying a processing fee to cover the costs associated with removing the item from the collection and preparing a replacement. Fees will be set by Administrative staff based on average processing costs.

Rather than paying for lost material, individuals have the option of purchasing a new replacement copy for the library and paying the processing fee. Fees for damaged material may include the total cost of replacement depending upon the extent of the damage.

When material has been damaged beyond repair, and the replacement cost has been paid, ownership of the material may revert to the patron on request, if the Library can no longer use the material.

### **RECEIPTS**

Receipts are issued at the time of payment for lost material. A receipt listing the price paid for the material and any fees collected will be given to the patron.

### **REFUNDS**

**No refunds will be issued for lost materials that have been paid for by a patron. Once an item has been paid for by a patron, ownership of the material reverts to the patron.**



[\(http://elmhurstpubliclibrary.org/\)](http://elmhurstpubliclibrary.org/)

## About Us

When the item is lost or damaged you may pay the cost to replace the item, OR you can purchase a new, identical copy. In addition, a processing fee will be charged for items needing replacement.

No refunds will be issued for lost materials that have been paid for by a patron. Once an item has been paid for by a patron, ownership of the material reverts to the patron.

Fees that are charged for replaceable parts are non-refundable. No processing fee will be assessed with these fees.

For more information see the [Policy on Lost or Damaged Materials](#)

<http://elmhurstpubliclibrary.org/lib/wp-content/uploads/library-card/5.3Lostordamagedmaterials.pdf> or contact the Circulation Department for further details.

## **OVERDUE AND/OR CLAIMED RETURNED MATERIALS**

The Library Director is authorized to set fines for overdue materials. In order to encourage return of long overdue material, moderate maximum fines will be charged. Information on fines is available at the Circulation Desk and on the Library's web site.

Overdue notices are sent to individuals two weeks after material is due. If material has not been returned six weeks after the due date, a final bill for material is mailed. In addition to overdue notices, individuals who add an email address to their Library record may receive notification 3 days before most items are due. This "courtesy notice" is a reminder to renew or return materials before the due date. Individuals are responsible for returning materials on time whether or not notices are received.

Borrowing privileges are suspended when material becomes six weeks overdue. Reinstatement of borrowing privileges occurs when the individual returns the overdue material and pays the accumulated fines or when the price of the item along with the processing fee is paid in full. Borrowing privileges are also suspended when fines have accumulated to an amount to be set by the Library Director.

Accounts with \$50 or more in billed materials will be referred to a collection agency.

When a person informs the Library that material has been returned that the Library has no record of receiving, the individual will be held responsible for the material until it is returned or until the full price of the material along with the processing fee has been paid. The Library will assist individuals in these cases by searching the shelves for the material and notifying them of the results of the search.

Return of Library materials is of great importance, and any procedure that the Library follows in an individual case will be in keeping with this philosophy.



News | updated: 8/11/2015 5:38 PM

# All are forgiven: Vernon Area library halts fines for overdue books



**Vernon Area Public Library employee Christa Wells checks out some books for patron Michele Meyer on Tuesday. Starting this week, overdue materials no longer will generate fines.**

*Russell Lissau | Staff Photographer*



**Russell Lissau**

Saying penalizing people for borrowing items isn't a friendly policy, officials at a library in southern Lake County have broken with industry tradition and done away with fines for overdue books and other materials.

As part of the new philosophy, the Vernon Area Public Library in Lincolnshire also erased nearly \$43,000 in outstanding fines that had been accrued by more than 8,400 customers.

Everyone with a Vernon Area library card now has a clean account, regardless of past infractions, spokeswoman Catherine Savage said.

"Punishing people for using the library is not in line with what we want to be doing for our patrons," Savage said. "They're all free and clear now."

But patrons will now receive bills to replace books and other material once they're overdue by two weeks -- and they still won't pay if they simply return the material.

When it launched the policy this week, Vernon Area became one of the few libraries in the Northwest suburbs to eliminate overdue fines. The Algonquin Area Public Library was the first, taking the leap in September 2014.

The Elmhurst Area Public Library in Lake Zurich is next. Officials there plan to eliminate assessing late fees starting Sept. 2.

Select libraries in Ohio, Missouri, Massachusetts, Colorado and other states have eliminated fines, too.

Sari Feldman, president of the American Library Association, acknowledged that fines and fees can be barriers preventing people -- especially poorer people -- from using library services.

And as libraries become places people turn to not just for books but also for community events, job-search assistance and other programs, finding ways to reduce those barriers is important, she said.

"Public libraries are in the process of transformation, and we increasingly recognize that we are less about what we have for people and more about what we do for and with people," Feldman said.

At Vernon Area, fines for most overdue materials had been 10 cents per day. Fines for DVDs, video games and some other popular materials were \$1 a day.

Fines generated about \$35,000 for Vernon Area in 2014, Savage said. That's a lot of dimes, but it amounted to less than 1 percent of the district's annual budget.

And the manpower needed to answer questions about fines and process them wasn't worth the money coming in, Savage said.

Through research done earlier this year, officials also discovered late fees didn't encourage people to return books and videos on time.

"People bring things back because they're done with them," Savage said. "Or they bring them back because they're due."

Instead of being assessed relatively minuscule daily fines, patrons who don't return items will be billed for their replacement cost.

Bills will be sent to patrons for items two weeks overdue, Savage said. If an item is then returned promptly, charges won't be assessed.

If the item hasn't been returned within 35 days of the original due date, the bill moves to an independent debt-collection agency, Savage said.

At the Algonquin library, that's resulted in about \$57,000 in recovered replacement costs and fees since officials eliminated overdue fines, Executive Director Stephen Bero said.

Vernon Area patron Scott Stoga supports the new approach. He thinks it will put more pressure on customers -- especially parents of young readers -- to bring books back.

"Buying a new book is a lot more (expensive) than 10 cents a day," said Stoga, of Deerfield.

As the Algonquin library's no-fine policy nears its anniversary, Bero said the response remains positive.

"It's one less thing for us to worry about, and patrons like it (because) they're not being bugged," he said.

Eliminating fines has cost the library some revenue, but that's been offset by increased goodwill in the community, Bero said.

Vernon Area's Savage hopes her library experiences a similar public-relations boost. They've promoted the change on the library's website, on social media and in a freshly published newsletter.

"So far, people are very surprised and equally pleased," Savage said.

### Article Comments (0)



(<http://elmhurstpubliclibrary.org/>)

## About Us

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Material Type	Loan Period	May Be Renewed Twice*	Elmhurst Patrons Only	Overdue Fines Per Day	3-day Grace Period**
Books (Exemptions below)	3 weeks	X		10¢	X
Magazines	1 week	X		10¢	X
Pamphlets/Maps/Toys/Puzzles	3 weeks	X		10¢	X
Audiobooks	3 weeks	X		10¢	X
Feature DVD/BluRay/Kids' Movies	1 week	X		10¢	X
TV Series DVD	2 weeks	X		10¢	X
Non-Fiction DVD/BluRay	3 weeks (New: 1 week)	X		10¢	X
Music CDs	3 weeks	X		10¢	X
Video Games	3 weeks (New: 1 week)	X		10¢	X
CD Roms	3 weeks	X		10¢	X
Vinyl Records	3 weeks	X	X	10¢	X

## Technology

eReaders	3 weeks	X	X	\$1	
Assistive iPads	3 weeks		X	\$5	
Laptops (In House Use Only)	4 hours		X	\$1/hour	
Projectors	1 week	X	X	\$5	
VHS to DVD Converter	1 week	X	X	\$5	
Cassette and CD Boombox	1 week	X	X	\$5	
Phone Chargers (Apple and Android)	4 hours			\$1/hour	
XBox Game Controllers					

(In House Use Only)	4 hours			\$1/hour	
Creative Studio Equipment (In House Use Only)	4 hours		X	\$1/hour	

## Alternative Collections

Knitting Needles	3 weeks	X	X	10¢	X
Board Games	1 week	X	X	10¢	X
Thermal Leak Detector	1 Week	X		10¢	
Kilowatt Meter	1 Week	X		10¢	
Umbrellas	1 Week		X	10¢	
Culinary Cupboard Collection	1 Week	X	X	\$1	
Vinyl Record Turntable	3 Weeks	X	X	10¢	X

## Hot Copies

Hot Copy Books	2 weeks		X	10¢	X
Hot Copy Magazines/Magazines to Go	1 week		X	10¢	
Hot Copy Feature DVD/BluRay	3 days		X	10¢	
Hot Copy TV Series	2 weeks		X	10¢	
Hot Copy eReaders	1 week		X	\$1	

## LINKin

LINKin Items	Loan Period	May Be Renewed*
Books and most AV	4 weeks	once, for 2 weeks
DVDs	1 week	once, for 7 days

\* – Items which have been requested by another person cannot be renewed.

\*\* – If you return an item to the Elmhurst Public Library within three days of its due date, you will not be charged a fine, because the item was returned within the established “grace period.” If the item is not returned or renewed by closing time of the third day of the grace period, a fine will be charged for each day past the due date including the three days of the grace period.

## Patrons from other Illinois Libraries

Are welcome to check out a total of 30 items

Out of the 30 items, up to 10 may be AV (DVDs, CDs, audiobooks, or Playaways) and 1 video game.

Not available: All Hot Copies (books, movies, or magazine), eReaders, iPads, Laptops, other equipment.