



Legislation Details (With Text)

File #: 21-1697 **Version:** 1 **Name:**

Type: Public Hearing/General Business **Status:** Agenda Ready

File created: 11/29/2021 **In control:** Board of Library Trustees

On agenda: 12/6/2021 **Final action:**

Title: Informational Discussion of Fine-Free Library Movement

Sponsors:

Indexes:

Code sections:

Attachments: 1. New York Times Article - March 30, 2016, 2. SFPL Long Overdue Report January 2019, 3. SCCL Fines Breakdown.pdf, 4. RESOLUTION ON MONETARY LIBRARY FINES AS A FORM OF SOCIAL JUSTICE

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

REPORT TO BOARD OF LIBRARY TRUSTEES

SUBJECT

Informational Discussion of Fine-Free Library Movement

COUNCIL PILLAR

Enhance Community Engagement and Transparency

BACKGROUND

Overdue fees have traditionally been viewed as a means of encouraging library patrons to return material on time. In the past decade, libraries across the country have carefully reexamined this idea and found that overdue fines create significant barriers to access for some users, particularly low or fixed-income individuals and those from communities of color. Furthermore, studies have shown that overdue fees do not significantly affect if an item will be returned on time making their use unnecessary. These inequitable outcomes are in opposition to the general mission of a library to provide free, equal, and equitable access to all. In response to this, many libraries have chosen to go fine-free for all ages in recent years.

In March 2016, the New York Times published an article (attached) revealing how overdue fines disproportionately affect immigrant and low-income residents of San Jose, California. The article notes that nearly a third of library card holders in specific neighborhoods were denied access to library materials and computer usage due to accruing fines over \$10. The article illustrates that for low-income patrons, a \$10 fine may result in them, or their family, choosing not to use the library. This creates a dynamic in which those who potentially need the library's resources the most are least in the position to overcome financial barriers imposed by the library. At the time of the article's publication, San Jose Public Library had approached its City Council to approve the elimination of fines on all juvenile and young adult materials. Shortly after, Santa Clara City Library enacted a similar policy.

Santa Clara City Library's circulation increased by 10% in the first year following the elimination of fines on youth materials. A direct correlation is difficult to prove, but this rise in items being checked out is common across libraries that have eliminated fines. Additional benefits some libraries experience include an increase in library card registrations, increased customer satisfaction, and improved staff morale.

In recent years, many library systems have considered opting to remove all overdue fees regardless of material type. Prior to going completely fine-free in January 2019, the San Francisco Public Library released a report (attached) in partnership with the Financial Justice Project that evaluated how eliminating all overdue fines would affect access for San Francisco residents. This report, titled "Long Overdue: Eliminating Fines on Overdue Materials to Improve Access to San Francisco Public Library," illustrates the disproportionate impact overdue fines have on low-income communities and communities of color and provides rebuttals and potential solutions to some of the concerns over fine-free libraries.

During the American Library Association's (ALA) Midwinter meeting on January 28, 2019, ALA members passed a resolution stating that monetary library fines create barriers for patrons and recommend libraries move towards eliminating them. The "Resolution on Monetary Library Fines as a Form of Social Inequity" (attached) illustrates a shift in perspective of how library fines are viewed by the modern library profession.

DISCUSSION

At least 12 other Bay Area Library systems have gone entirely fine-free in the past five years, including Santa Clara County Libraries, San Mateo County Libraries, and Alameda County Libraries. The Santa Clara City Library would like to explore the option of becoming a fine-free library as well to improve equitable access for our residents and neighboring community members.

Eliminating overdue fines on youth materials was a significant step towards improving patron outcomes. While this policy prevented patrons from accruing new library fines on certain items, it did not purge pre-existing overdue fines. Any patron whose library card was blocked before the change in policy remained blocked afterwards and did not receive the intended benefit. Elimination of pre-existing library debt related to overdue fines has an impact on the efficacy of a fine-free policy.

The Library's current policy is to charge \$0.25 per day on most overdue materials (excluding juvenile and young adult materials). If a patron, regardless of age, accrues fines over \$25, they lose the ability to borrow additional materials until the fine is reduced below that threshold. This includes access to both physical and digital materials.

Overdue fines for loanable technology such as Chromebooks and internet hotspots are more significant. If a Chromebook or internet hotspot is returned late, a \$30 late fine is placed on the patron's record. This charge immediately blocks the patron's borrowing privileges. Many patrons who use the Library to check out computers and hotspots do so because they lack the means to purchase their own equipment. The fines charged for these items disproportionately affect users who have limited resources and require the access provided by these items.

Additionally, the format a patron uses also determines if they receive overdue fines. Digital materials such as ebooks and eaudiobooks are automatically returned on the due date. There are no overdue fines on digital items. This advantages users with the access to digital devices. Patrons who rely on

physical copies of the same materials have the potential to accrue overdue fees if the item is returned late.

During the COVID-19 pandemic, the library temporarily suspended most fines and penalties. At this point in time, if the Library returns to pre-COVID policies, 4% of library patrons will lose access to borrowing privileges due to overdue fines.

Of this 4% of patrons, 631 are children under 12 years old and 510 are teens between 13 and 17 years old. An additional 3987 adults will lose access to borrowing privileges as well (see attached document). The Library is exploring opportunities to work with the City's geographic information system team to plot the addresses of blocked cards onto a map of Santa Clara. This information could reveal patterns of potential inequities that overdue fines are creating.

17% of all library patrons owe some form of library debt with the average fine being \$27.66. In total, \$617,198 is owed by cardholders across the system with an average of \$169,000 being paid for annually. When a fine is paid, it becomes revenue in the City's general fund rather than funds directly supporting library functions. The general fund, which only contains a portion of the City's revenue, collects an average of \$227,098,240 in municipal fees. Of this annual average, overdue fines account for 0.07% of the total amount.

Eliminating overdue fines does not eliminate a patron's responsibility to return an item. When an item is overdue for more than 30 days, a patron will be billed for the replacement of that item. If the item is returned, the bill will be removed from the patron's record.

Processing fees ranging from \$5 to \$15 are included in the cost of a billed item. Processing fees were traditionally charged to offset staff costs in reordering and processing replacement copies of materials. Many items are easily reordered and received pre-processed through current vendors. The Library is evaluating the necessity of these charges in addition to overdue fines.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

Add item to Board of Library Trustees workplan to examine fine-free issue as it relates to library services locally and nationwide.

Reviewed by: Justin Wasterlain, Management Analyst

Approved by: Patty Wong, City Librarian

ATTACHMENTS

1. New York Times Article - March 30, 2016
2. SFPL Long Overdue Report January 2019
3. SCCL Fines Breakdown
4. Resolution on Monetary Library Fines as a Form of Social Inequity

