

BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: May 05, 2020

Title: Pima County Public Library - Elimination of Overdue Fines

Introduction/Background:

Research prior to the coronavirus pandemic indicated that overdue fines disproportionately affect the economically disadvantaged. The landscape is quickly changing due to COVID-19, unemployment rates are increasing dramatically, and more members of our community are experiencing economic hardships. Now is the right time to join the dozens of public libraries across the nation that have eliminated overdue fines and increased equitable access to library services.

Discussion:

According to the American Library Association, overdue fines do not bring back materials faster, but they do act as an inequitable obstacle to library service affecting community members with the least resources. Overdue fines collected by PCPL in Fiscal Year 18/19 were \$228,915.00, only .51% (one half of one percent) of the Library's total operating budget, which does little to support the Library. The potential for taking on a large overdue fine for a small infraction can keep community members from taking full advantage of their Library's collection. Others will choose to stop using the Library altogether. Currently, 13% of Library cardholders are blocked from checking out materials because of overdue fines. PCPL has taken many steps over the years to help community members pay off their overdue fines, including eliminating overdue fines on materials for children and teens. We have lowered the threshold for customers to pay overdue fines online, and we offered Food for Fines programs allowing customers to donate

for customers to pay overdue fines online, and we offered Food for Fines programs allowing customers to donate food to lower their overdue fines. Even so, there has not been a significant decline in overall fine balances.

Conclusion:

Pima County Public Library would like to join library systems nationwide that have eliminated overdue fines, including the Maricopa County Library District and Phoenix Public Library, which eliminated overdue fines in 2019. With the approval of this new policy, Library staff will spend less time negotiating overdue fines and more time positively engaging with, supporting, and meeting the needs of Pima County residents. Under this proposed change, daily appropriate and the materials will be eliminated. Customers will still be responsible for returning library materials. overdue fines on late materials will be eliminated. Customers will still be responsible for returning library materials which will still have due dates. The Library will continue to collect fees for lost or damaged items. By taking these steps, we will show compassion during the current situation and provide tangible support to community members who are living with unprecedented challenges.

Recommendation:

Pima County Public Library recommends eliminating overdue fines on any and all library materials within the Pima County Public Library system, with the exception of Interlibrary Loans, and revise the Fines & Fees Schedule under Pima County Public Library - Circulation Policy, Policy Number D 32.2.

Pima County Public Library also recommends forgiving outstanding overdue fines on patrons' accounts.

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Fiscal Impact:



MEMORANDUM

DATE:

April 22, 2020

TO:

C.H. Huckelberry, County Administrator

Dr. Francisco Garcia, Deputy County Administrator

FROM:

Amber Mathewson

Library Director, Pima County Public Library

SUBJECT:

Elimination of Overdue Fines

Please find the attached report on behalf of the Pima County Public Library with the recommendation to eliminate overdue fines starting on July 1, 2020. The research we had prior to the coronavirus pandemic indicated that overdue fines disproportionally affect the economically disadvantaged. (see attached report)

Now, coronavirus has changed the world landscape. Unemployment rates are increasing, and library fines add an additional burden to members of our community who are already experiencing unprecedented economic hardships. While this is a reduction in funding for the Library District, it removes the burden from those most affected by this economic crisis, and is an appropriate response to the COVID-19 pandemic in our community.

We have an opportunity to relieve a small portion of these financial worries by eliminating overdue fines on library materials. My recommendation is to:

- Eliminate overdue fines on any and all library materials within the Pima County Public Library system,
 with the exception of Interlibrary Loans (materials that come from outside our library system), and
 revise the fines schedule under Pima County Public Library Circulation Policy, Policy Number D 32.2.
- Forgive outstanding overdue fines on patron accounts.

By taking these steps, we will show compassion during the current situation and provide tangible support to community members who are living with unprecedented challenges. These actions are good for the County, good for the Library, and most of all, good for our community. We hope that federal relief will provide some offset for these unbudgeted losses.

I ask for your support in bringing this proposal to the Pima County Board of Supervisors for their authority to eliminate overdue fines.

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Approved/Denied

Approved/Denied

Dr. Francisco Garcia, Deputy County Administrator

Date

Chuck Huckelberry, County Administrator

Date



Proposal for the Elimination of Overdue Fines on Pima County Public Library Materials Beginning July 1, 2020

RECOMMENDATION

- A. Approve elimination of overdue fines on any and all library materials within Pima County Public Library system, with the exception of Interlibrary Loans, and revise the fines schedule under Pima County Public Library Circulation Policy, Policy Number D 32.2.
- B. Approve and authorize Pima County Public Library to write off, in essence forgive, outstanding overdue fines in the estimated amount of \$785,000 for FY2017-2020

Summary

Pima County Public Library's mission is to transform lives by educating, inspiring, and connecting people. To fulfill its mission, the Library must provide equitable access to services that benefit *all* community members, regardless of socioeconomic status.

Libraries are key to a person's success, however overdue fines have created a significant barrier to access for a considerable number of individuals in Pima County.

Assessing overdue fines does not stop the return of late materials, according to the Public Library Association. President Ramiro Salazar said, "Not only do fines fail to incentivize timely return of materials ... they also deter borrowing completely." In reality, overdue fines act as an inequitable obstacle to Library service, affecting children and community members with the least financial resources (low socio-economic status).

See Appendix A -Percent of Cardholders Blocked by Last Activity Location to see a distribution of individuals who cannot check out library materials due to overdue fines above the allowable threshold of \$5.00 throughout Pima County Public Library locations.

In January 2019, the **American Library Association** <u>issued a resolution</u>¹ on monetary fines as a form of social inequity. The resolution urged libraries to:

"Scrutinize their practices of imposing fines on library patrons and actively move towards eliminating them."

¹ http://bit.ly/alaresolution

On November 30, 2019 in 'We wanted our patrons back' – public libraries scrap late fines to alleviate inequity, NPR's Emma Bowman, reported²:

"From San Diego to Chicago to Boston, public libraries that have analyzed the effects of late fees fines on their cardholders have found that they disproportionately deter low-income residents and children."

The result is in opposition to the Library's core values of education, excellence, freedom, diversity, innovation, and community.

By eliminating overdue fines, the Library will **break down the monetary barrier** for those who owe overdue fines and no longer use Pima County Public Library. Many libraries have gone fine free (Fine Free Map, Urban Libraries Council)³ and have seen a boost in customer activity, including higher circulation and an increased level of return of materials. The map below shows all libraries around North America that have gone fine free. Libraries marked in orange are Urban Libraries Council members, as is PCPL. Click for an interactive map.



The St. Paul Public Library eliminated fines in early 2019 and, according to Library Director Catherine Penkert, "By every measure we had hoped for, it is working." A press release states⁴:

More than 65,000 items have been checked out this year by people with cards that were previously blocked due to late fees. Circulation in the second quarter of 2019 also increased across the board compared to the same time period a year ago—particularly in branches that serve lower-income areas like Rondo (18.4 percent) and Arlington Hills (19.3 percent). Plus, new library card registration increased 8.2 percent, reversing steady downward trends seen in the past.

² http://bit.ly/patronsback

³ http://bit.ly/finefreemap

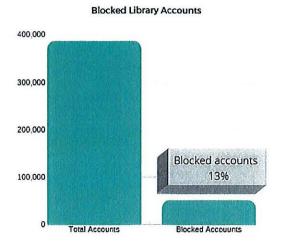
⁴ http://bit.ly/droppinglatefees

Some of the reasons cited by individual libraries that have eliminated overdue fines include:

"Removing financial barriers to access is directly in line with the library's efforts to improve equity, diversity and inclusion among its users." (Roosevelt Weeks, Director, Austin Public Library)

"Accumulated overdue fines prevent some patrons from checking out books and other materials. It is more important that materials are returned so that others may borrow them, than it is to charge late fees that can add up and prevent someone from using their Library." (Tim Kambitsch, Executive Director, Dayton Metro Library)

Pima County Public Library currently **blocks 51,203 library card accounts** from checking out materials due to overdue fines and fees owed over \$5.00. With 386,830 accounts, this means that 13% of cardholders cannot check out materials (highlighted data will be updated for BOS).



Pima County Public Library would like to join library systems nationwide that have eliminated overdue fines, including the Maricopa County Library District (MCLD)⁵ and Phoenix Public Library⁶, which eliminated overdue fines in 2019. On average, both MCLD and Phoenix Public Library collected \$300,000 per year in overdue fines.

⁵ http://bit.ly/mcldfinefree

⁶ http://bit.ly/pplfinefree





With the approval of this new policy, Library staff will spend less time negotiating fines and more time positively engaging with, supporting, and meeting the needs of Pima County residents.

Under the proposed change, daily overdue fines on late materials will be eliminated. Patrons will still be able to renew or return items, in accordance with the renewal procedure. They will continue to be responsible for returning Library materials, which will still have due dates.

The Library will continue to collect fees, which are charged for damaged and lost items, as well as collection agency fees.

Previous Steps Taken

In 2013, with the recommendation of the Library Advisory Board and the oversight and permission of the Pima County Board of Supervisors, the **Library eliminated overdue fines on late materials for children and teens**. See *Appendix B*. While the elimination of these fines *did not* reduce or diminish the service and programs offered by the Library, it *did* allow children and teens throughout Pima County renewed access to the Library.

Additionally, since 2007, the Library has offered "Book Bucks" to anyone under 18 years of age. This service allows minors to "read off" their overdue fines for any adult materials checked out on their cards. One Book Buck is earned for every 30 minutes of reading (print and ebook) or listening (e-audiobooks and audiobook on CD). In the 10+ years it's been offered, it has only resulted in \$5,291.32 in waived fines.

The threshold for allowing customers to pay overdue fines and fees online with a credit card was reduced from \$5.00 to \$0.10 in September 2018. This was enacted to raise the potential for people with fines and fees lower than \$5.00 to pay online, which at the time impacted 26,814 accounts. During FY1819, \$73,007.78 was collected via online payments, up from \$66,854.57, for an increase of \$6,153.21.

In April 2019, we offered Food for Fines, which allows customers to donate nonperishable food to food banks throughout Pima County and get their overdue fines forgiven. This resulted in the elimination of \$7,913 in overdue fines from 4,500 customer accounts.

Although efforts to both encourage online payment through convenience and to eliminate fines through ongoing annual amnesty programs have been offered over the years, they have not had a significant impact on the overall fine balance.

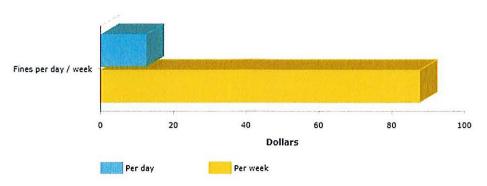
Current Fines and Fees Policy

Currently, there are no overdue fines assessed on children's and teens' materials returned late. However, adult materials are still assessed overdue fines.

Type of item	Late fee per day	Maximum fine or fee
Adult Book, DVD, Audiobook, CD	\$0.25	7.50
Magazine	\$0.25	\$3.00
Fotonovelas	\$0.10	\$1.00
Interlibrary loan	\$0.50	\$10.00
Lost or damaged item		Replace item or pay replacement cost

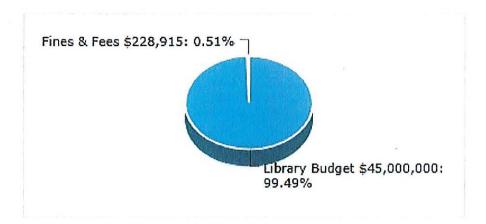
Under this structure, an adult who checks out the maximum of 50 adult items would owe \$12.50 in late fees **per day**. In just one week, this adds up to \$87.50 in overdue fines.

Overdue Fine Accumulation - Current



Why Eliminate Fines?

 Overdue fines collected in Fiscal Year 18/19 were \$228,915.00, only .51% (one half of one percent) of the Library total operating budget.



- Overdue fines are a small source of revenue and do little to support the Library.
- The potential for taking on a large overdue fine for a small infraction can keep community members from taking full advantage of their Library's collection, checking out fewer materials in order to keep their fine risk low. Others, sadly, will choose to stop using the Library altogether.
- The Library uses a vendor, Unique Management, to collect overdue fines owed. Anyone with \$50.00 in fines and fees outstanding for over 30 days is referred to this agency. The costs for this service was \$66,588.00 for FY1819 and is based on the number of contacts Unique makes on our behalf. This cost could be significantly lowered, since the agency will not have to contact as many individuals.
- With the passage of this new policy, Pima County Public Library anticipates eliminating approximately \$785,000 which represents outstanding overdue fines currently owed.

Proposed New Policy

- Items will continue to have due dates, and patrons will continue to receive phone and/or email notifications when things are coming due or are overdue.
- Patrons will no longer receive daily overdue fines on late items, but will still be responsible for returning library materials.
- Items that are late by 30 days or more will be considered lost. These costs will be billed
 to the patron's account, but the bill will be cleared once the item(s) is returned. This
 procedure will remain the same for items that are not returned or are returned damaged.
- Patrons owing \$5 or more will not be able to borrow items, but regular borrowing privileges will resume once damaged items are paid for or replaced, or lost items are returned, replaced, or paid for.
- If the total bill is more than \$50, patrons' accounts will still be referred to the Library's
 collection agency, Unique Management Services, approximately one month after they
 receive a bill for the overdue items. As with lost or damaged items, once returned the
 patron will not have to pay the bill on those items, but will be held responsible for the \$10
 collection agency processing fee.
- If overdue items are not returned, patrons will be held responsible for the entire bill.

Appendix A - Percent of Cardholders Blocked by Last Activity Location

Percent Cardholders Blocked by Last Activity Location

	·-		2018 Est.		Households
	Percent of	Percent 2018	Median	Percent No	Without an
	cardholders with	Families	Household	High School or	Internet
Library Location	fines over \$5	Below Poverty	Income	GED	subscription
El Pueblo	28%	34%	\$23,195	43%	37%
Valencia .	23%	27%	\$37,385	29%	22%
Ostincie Douglas	22%	27%	\$34,728	33%	31%
Sam Lena-South Tucson	22%	37%	\$26,431	40%	51%
Southwest	22%	34%	\$33,825	34%	37%
Joel D. Valdez	20%	21%	\$32,966	20%	25%
Eckstrom-Columbus	20%	23%	\$35,140	17%	21%
Santa Rosa	20%	23%	\$42,014	20%	24%
Woods Memorial	20%	23%	\$30,737	14%	26%
Martha Cooper	1.9%	22%	\$33,758	. 11%	28%
Mission	19%	18%	\$44,570	17%	24%
Flowing Wells	17%	23%	\$34,336	18%	31%
Murphy-Wilmot	15%	14%	\$40,358	9%	21%
Readrunners	15%				
El Rio	14%	18%	\$45,613	21%	32%
Caviglia-Arivaca	13%	8%	\$27,143	7%	41%
Miller-Golf Links	12%	8%	\$64,326	7%	12%
Himmel Park	1296	14%	\$38,955	8%	19%
Wheeler Taft Abbett	1296	6%	\$71,200	9%	11%
Manini	11%	7%	\$56,860	7%	14%
Salazar-Ajo	10%	23%	\$34,385	16%	38%
Sahuarita	10%	3%	\$75,842	4%	7%
Kirk-Bear Canyon	8%	4%	\$68,771	596	11%
Dusenberry-River	7%	5%	\$73,708	296	1196
Oro Valley	7%	3%	\$83,213	3%	10%
Dewhirst-Catalina	5%	9%	\$53,619	11%	23%
Joyner-Green Valley	5%	5%	\$54,474	5%	18%

Sources:

Fines -Savannah query on 12/4/2019 Demographic Data: OrangeBoy, Inc estimates

Appendix B – Memorandum Revising Fines and Fees Schedule Policy to Eliminate Overdue Fines on Children's and Teens' Materials



MEMORANDUM

DATE:

May 7, 2013

TO:

Honorable Chairman and Members Pima County Board of Supervisors

CC:

C. H. Huckelberry, County Administrator Hank Atha, Deputy County Administrator

FROM:

Pima County Public Library Advisory Board

SUBJECT: Revising Fines and Fees Schedule Policy

At the April 1, 2013 Library Advisory Board meeting the Board voted unanimously to recommend a revision to the Library Fines and Fees Schedule Policy to allow the elimination of overdue fines for children and teen collections and youth magazines. We also voted to recommend a one-time "forgiveness" waiver for all overdue fines and fees on library cards issued to children and teens to be implemented on September 1, 2013. The one time forgiveness includes overdue fines as well as any outstanding replacement costs for non-returned items. In most cases, the youth accounts are blocked only because of outstanding overdue fines.

Of the 97,000 registered children and teen library cards, 45% are currently blocked and owe overdue fines and replacement fees for unreturned items, and an additional 6% have been turned over to a collection agency. Accounts are turned over to the collection agency when they reach \$50. Most youth accounts are blocked for outstanding charges of less than \$50.

The majority of these accounts remain uncollectable for a full three years until purged from the library circulation system. The County Finance Department recommended the 3 year period. A snapshot taken of blocked youth accounts on March 29, 2013, showed approximately \$990,000 in overdue fines and replacement fees for lost items that are attributable to more than 49,000 children and teen accounts. It is estimated that of the \$990,000, more than 2/3 of that figure represents youth accounts that are blocked simply because the children have accumulated overdue fines.

A one-time waiver of overdue fines and replacement fees would enable 49,000 children and teens to begin actively using and borrowing books and other materials to support their education. In addition it would remove a significant, uncollectable debt from Library accounts.

The Library Advisory Board requests approval of the Fines and Fees Schedule Policy revision. We appreciate your continued efforts in funding Pima County's outstanding public libraries in these challenging economic times.

Sincerely

Tom Ward, President

Pima County Public Library

TW/lg

Subject: Pima County Library – Fines and Fees Schedule Policy	Policy Number D 32.8	Page <u>2</u> <u>OF 2</u> 1 of 3
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THE STATE OF THE S	PIMA COUNTY, ARIZO BOARD OF SUPERVISORS		
Subject:		Policy Number	Page
Pima Coi Schedule Po	unty Public Library – Fines and Fees licy	D 32.8	1 of 3 <u>2</u>

Purpose:

The purpose of the schedule is to outline fees and fines that may be charged to Library customers.

Policy:

The Pima County Public Library charges the fines and REPLACEMENT fees listed below FOR UNRETURNED MATERIALS to encourage the prompt return of materials and to guarantee THE REPLACEMENT OF that lost or damaged items are replaced. The Library also charges for some special services. Library Administration will review the fees periodically and recommend changes as deemed appropriate.

Arizona Resident Cardholder Annual Fee for additional reserve privileges: \$25.00

Fines for overdue materials:

	Daily	Maximum
General Collections	\$ 0.25	\$7.50
Fotonovelas	\$0.10	\$1.00
General Audience Magazines	\$0.25	\$3.00

Fines FEE waiver:

FEES WILL BE WAIVED IN THE EVENT THAT THE LIBRARY HAS TECHNICAL DIFFICULTIES RESULTING IN ERRONEOUS FEES. Fines for overdue materials may be waived, at the discretion of the library, when the overdue material is returned under certain circumstances. IN ADDITION, the following ARE TAKEN IN TO CONSIDERATION may be considered as potentially valid reasons to waive FEES fines for overdue materials:

- The customer has a medical, financial, or transportation hardship.
- Proven incapacity of the cardholder responsible for the materials.
- The customer has reported the card lost or has a police report that it has been stolen.
- The customer has been deployed with the United States military.

Pima County Library – Fines and Fees Schedule Policy D 32.8 OF 2
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- A minor participated in Books for Bucks program
 Customer participated in an approved fine amnesty program.
- Customer lives in a residential care facility and the material is returned within 30-days of the due date.
- The overdue materials have been impounded by law enforcement.
- There has been a change in custody or guardianship of a minor resulting in confusion over responsibility for library materials.

Fines will be waived in the event that the Library has technical difficulties resulting in erroneous fines.

Staff will not waive fines or fees from their own record or for a family member. Staff will not waive fines <u>FEES</u> for another staff member unless written authorization from a branch manager is provided.

Fines and Fees for Interlibrary Loan materials:

Overdue materials: The greater of the fee set by the loaning library or \$0.50 per day up

to a maximum of \$10.00. (<u>FEES</u> fines may be waived under the extenuating circumstances set forth above <u>BY THE</u> LIBRARY.)

Shipping: Actual cost.

Replacement, if lost: Actual cost, plus any fees charged by the loaning library. Copying of materials: Actual cost or fee set by the loaning library, whichever is greater.

Checks Returned for Insufficient Funds: The amount of the check plus a \$25.00 Treasurer's fee. Additionally, if the amount (including the \$25.00 fee) is not paid in full within 12 days from the date notice is mailed, the check will be reported to the Pima County Attorney's Bad Check Program and additional program costs and penalties of up to \$125.00⁴ will be assessed.

Collection Agency Fees: The amount owed for <u>UNRETURNED MATERIALS'</u> overdue fines, applicable replacement costs, and a \$10.00 collection fee.²

Lost or damaged materials: Unless the fine—or fee is waived because of extenuating circumstances set forth above, the customer may either replace the item or pay the replacement fee established by the Library. If the customer chooses to replace the item, the replacement must be in the same format, it must be in good condition and it must be acceptable to the Library.

Subject: Pima County Library – Fines and Fees Schedule Policy	Policy Number D 32.8	Page <u>2</u> <u>OF 2</u>
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¹ These costs and penalties may be increased by the Bad Check Program without notice:

2 If a delinquent account was turned over to Collection prior to July 1, 2006, the fee may be up to 40% of the total amount of the account.

Library services:

Photocopying: PRICED AT MINIMUM NECESSARY TO COVER

OPERATION COSTS \$0.10 per page

Black and White Printing: PRICED AT MINIMUM NECESSARY TO COVER

OPERATION COSTS \$0.10 per page

Headphones

priced at unit cost

Fax outgoing local \$1.00 Fax outgoing long distance \$1.50

\$1.00

Fax Receiving

\$1.50 \$.50

Flash Drive

priced at cost of drive

Adopted: August 7, 2007 Revised: March 17, 2009 Revised: June 3, 2009 Revised: July 7, 2009 Revised: August 16, 2010

Proposed Revision: Sept. 13, 2011

Revised: October 4, 2011

Revised: May 14, 2013; Effective: Sept. 1, 2013

REVISED: APRIL 30, 2020



PIMA COUNTY, ARIZONA BOARD OF SUPERVISORS POLICY

Subject:	Policy Number	Page
Pima County Public Library – Fees Schedule Policy	D 32.8	1 of 2

Purpose:

The purpose of the schedule is to outline fees that may be charged to Library customers.

Policy:

The Pima County Public Library charges replacement fees for unreturned materials to encourage the return of materials and to guarantee the replacement of lost or damaged items. The Library also charges for some special services. Library Administration will review the fees periodically and recommend changes as deemed appropriate.

Fee waiver:

Fees will be waived in the event that the Library has technical difficulties resulting in erroneous fees. In addition, the following are taken into consideration as potentially valid reasons to waive fees:

- The customer has a medical, financial, or transportation hardship.
- Proven incapacity of the cardholder responsible for the materials.
- The customer has reported the card lost or has a police report that it has been stolen.
- The customer has been deployed with the United States military.

Staff will not waive fees from their own record or for a family member. Staff will not waive fees for another staff member unless written authorization from a branch manager is provided.

Fees for Interlibrary Loan materials:

Overdue materials:	The greater of the fee set by the loaning library or \$0.50 per day up to a maximum of \$10.00. Fees may be waived under the extenuating circumstances set forth by the Library.
Shipping:	Actual cost.
	Actual cost, plus any fees charged by the loaning library.
Copying of	Actual cost or fee set by the loaning library, whichever is greater.
materials:	

Checks Returned for Insufficient Funds: The amount of the check plus a \$25.00 Treasurer's fee. Additionally, if the amount (including the \$25.00 fee) is not paid in full within 12 days from the date notice is mailed, the check will be reported to the Pima County Attorney's Bad Check Program and additional program costs and penalties of up to \$125.00 will be assessed.

Subject: Pima County Public Library – Fees Schedule Policy Policy Number 2 of 2

Collection Agency Fees: The amount owed for unreturned materials' replacement costs and a \$10.00 collection fee.

Lost or damaged materials: Unless the fee is waived because of extenuating circumstances set forth above, the customer may either replace the item or pay the replacement fee established by the Library. If the customer chooses to replace the item, the replacement must be in the same format, it must be in good condition and it must be acceptable to the Library.

Library services:

Photocopying: priced at minimum necessary to cover operation costs Black and White Printing: priced at minimum necessary to cover operation costs

Headphones priced at unit cost

Fax outgoing local \$1.00 Fax outgoing long distance \$1.50 Fax Receiving \$.50

Flash Drive priced at cost of drive

Adopted: August 7, 2007 Revised: March 17, 2009 Revised: June 3, 2009 Revised: July 7, 2009 Revised: August 16, 2010

Proposed Revision: Sept. 13, 2011

Revised: October 4, 2011

Revised: May 14, 2013; Effective: Sept. 1,

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