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# Guidelines regarding thefts in libraries: A draft

By the RBMS Security Committee

David S. Zeidberg, Chair

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*What to do before, during, and after a theft occurs.*

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**T**hese draft "Guidelines Regarding Thefts in Libraries" are the latest in a series that the ACRL Rare Books and Manuscripts Section's Security Committee has developed over the past eight years. The Committee began in 1978 with an *ad hoc* charge to develop guidelines for the marking of rare materials so that they could be properly identified when recovered. First published in 1979, these were later made an appendix to the broader "Guidelines for the Security of Rare Book, Manuscript, and Other Special Collections," published by ACRL in 1982, and currently under revision by the Committee (see draft in *C&RL News*, March 1982, pp.90-93).

The draft below represents a further expansion upon these general policies, and now offers libraries guidelines for "What to do before a theft occurs"; a checklist of steps to follow when a theft is discovered, "What to do after a theft occurs"; and "Model legislation: Theft and mutilation of library materials," which the Committee hopes libraries and ACRL Chapters will take to their state legislatures to strengthen the laws for the prosecution and punishment of library thieves.

The Committee urges the ACRL membership to consider two important points about these guidelines in reviewing them. First, these guidelines are interrelated and should be considered in conjunction with the previously published guidelines as well. Second, these guidelines concern *all* library thefts, not just those which may occur in rare book,

manuscript, and other special collections departments within a library system. Some informal surveys over the past few years have shown that these latter departments have stronger physical and procedural security systems in place than do their parent libraries for the general collections. Publicized thefts, furthermore, such as the James Shinn case, show that thieves, rather than infiltrating established systems, instead pilfer from open stacks where rare materials acquired years before remain unidentified and unprotected. The Committee itself conducted one informal, geographic survey in 1982 among special collections libraries and found that most had security policies in place following the RBMS general guidelines or had developed parallel guidelines on their own. An ARL/Office of Management Studies survey in 1984 as part of its SPEC Kit on "Collection Security in ARL Libraries" showed, however, that only 32% of the eighty-nine responding libraries had appointed a security officer and only 15% had written security policies to follow.

Perhaps it is time for ACRL and ALA to consider the serious problem of library thefts as a library-wide issue rather than limiting the concern to rare books, manuscripts, and other special collections. Once the present guidelines are published in final form, the Rare Books and Manuscripts Section stands ready to develop and co-sponsor ACRL and ALA programs at annual meetings which will educate all librarians about the epidemic proportions

of library thefts and the means to cope with them.

Following ACRL/ALA rules, a public hearing on these draft guidelines will be the agenda of the RBMS Security Committee's first session at ALA Midwinter in Chicago on Saturday, January 17, 1987. Members wishing to make comments and suggest revisions should plan to attend, or you may write beforehand to the chair of the RBMS Security Committee: David S. Zeidberg, Head, Department of Special Collections, UCLA Research Library, Los Angeles, CA 90024.

## Guidelines for what to do before a library theft occurs

### I. Library security officer

Appoint a senior library staff member as Security Officer who has delegated authority from the library and the institution to act on their behalf, working with the institution's legal counsel and security force.

### II. Security planning group

Form a group made up of the library Security Officer and other appropriate personnel to develop a specific plan of action to follow when a theft is discovered.

### III. Publicity

Establish liaison with the institution's public relations office so that timely and accurate announcements can be made to the press when a theft is discovered.

### IV. Law enforcement

A. Establish contact with law enforcement agencies—institutional, local, state, and/or federal—to determine who will be called and under what circumstances. The library should maintain a list of contacts in each level of law enforcement and discuss the plan of action with each. The value of materials or other circumstances will dictate which law enforcement agency will handle the case; for example, the FBI may become involved if the dollar amount exceeds a minimum level, and the U.S. Customs may be involved if stolen items might be smuggled out of the country.

B. Work with the library's institutional administration to insure support for the prosecution of thieves. This support may range from an active willingness to participate in the collection of evidence to be turned over to the District Attorney or U.S. Attorney for further consideration, or it may involve direct participation in the prosecution by the institution.

C. Work with appropriate institutional, local, and state groups to lobby for strengthening of state laws regarding library thefts and for diligent prosecution of such crimes.

### V. Other outside contacts

A. Establish liaison with local rare book, manu-

script, and second-hand dealers to inform them of the library's collecting areas. Thieves sometimes try to sell stolen property quickly, and dealers with knowledge of the library's collections can recognize, or at least be suspicious of, materials they know the library collects which are offered to them.

B. Report the name of the library's Security Officer to the RBMS Security Committee and note changes. The RBMS Security Committee will compile a list of the security officers annually. The list will be available from the ACRL office and will be forwarded to the Antiquarian Booksellers' Association of America (ABAA).

C. Establish liaison with the national, online network, Bookline Alert/Missing Books and Manuscripts (BAMBAM) so that thefts can be reported immediately upon discovery. BAMBAM may be used not only to report missing books but also to check when materials are offered to the library.

### VI. Preventive measures in the library

A. Implement the RBMS *Guidelines for the Security of Rare Book, Manuscript, and Other Special Collections* (1982), available from the ACRL Office.

B. Coordinate work in the library to assure proper ownership marks appear on the institution's holdings, providing proof that materials, if stolen, belong to the library. The RBMS Security Committee urges the use of its marking guidelines (an appendix to the security guidelines mentioned above) for rare materials. The Committee also recommends recording distinctive characteristics of individual copies in cataloguing notes as another means of identifying appropriate items.

C. Begin a process of reviewing materials in the library's general collections and open stacks for consideration of transfer to Special Collections or to a caged, limited access area of the library. The RBMS Transfer guidelines (*C&RL News*, July/August 1985, pp.349-52) will help the library identify candidates for transfer. Some libraries have identified rare materials in the open stacks in the course of projects, such as reporting to the Eighteenth Century Short Title Catalogue or working through a collection development policy using the Research Libraries Group Conspectus. While the task seems overwhelming for libraries large and small, the Committee recommends that libraries make a beginning.

### VII. Addresses

The Security Committee, ACRL Rare Books & Manuscripts Section, ACRL/ALA, 50 East Huron Street, Chicago, IL 60611.

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## Checklist of what to do after a theft occurs from a library

### I. Notification

Notification of Security Officer and appropriate library administrators upon suspicion that a theft has occurred.

### II. Discovery of theft

The library's collection of evidence of theft.

- Evidence of intrusion connected with missing library materials.
- Indication that patron or staff member has stolen books or manuscripts.
- Apprehension of person(s) in act of theft.
- Discovery of systematic pattern of loss.
- Recovery of materials stolen from library.
- Other evidence.

### III. Evaluation

Security Officer's evaluation of evidence with administration, law enforcement personnel, library security group, and legal counsel as appropriate, and determination of action.

### IV. Actions

- Notify Bookline Alert/Missing Books and Manuscripts (BAMBAM), and other appropriate networks.
- Notify local booksellers, and appropriate specialist dealers.
- Request action from law enforcement agencies. Contacts:
- Request action from legal authorities. Contacts:

### V. Publicity

- Security Officer meets with administration and public relations officer to plan appropriate publicity strategy.
- Security Officer or public relations officer prepares news releases to alert staff and community to problem and action.
- Security Officer or public relations officer handles inquiries from news media.

### VI. Security Officer's coordination of staff efforts

- Compilation of inventories.
- Arrangement for appraisals of loss or recovery.
- Preparation of communications to staff about progress on case.
- Maintenance of internal records of actions followed during progress of case.

## Draft of model legislation: Theft and mutilation of library materials

### Declaration of purpose

Because of the rising incidence of library theft and mutilation of library materials, libraries are suffering serious losses of books and other library property. In order to assure that research materials are available for public use, it is the policy of this state to provide libraries and their employees and

agents with legal protection to ensure security for their collections. It is the policy of this state to affirm that local, state and federal prosecution of crimes affecting books or other library property is executed with the same degree of diligence as is exercised in prosecution of crimes affecting all other forms of property. Federal statute pertaining to stolen property is designed not only to implement federal-state co-operation in apprehending and punishing criminals who utilize, or cause to be utilized, channels of interstate commerce for transportation of property (in value of \$5,000 or more) of which the owner has been wrongfully deprived, but also to deter original theft.

### Definition of terms

"Library" means any public library; any library of an educational, benevolent, hereditary, historical or eleemosynary institution, organization or society; any museum; any repository of public or institutional records. "Book or other library property" means any book, plate, picture, photograph, print, painting, drawing, map, newspaper, magazine, pamphlet, broadside, manuscript, document, letter, public record, microform, sound recording, audiovisual material in any format, magnetic or other tape, catalogue card or catalogue record, electronic data processing record, artifact, or other documentary, written or printed materials, or equipment, regardless of physical form or characteristics, belonging to, on loan to, or otherwise in the custody of a library.

### Proposed wording

Section 1.a.) Any person who willfully, maliciously or wantonly writes upon, injures, defaces, tears, cuts, mutilates, or destroys any book or other library property belonging to, on loan to, or otherwise in the custody of a library shall be guilty of a crime.

Section 1.b.) The willful concealment of a book or other library property upon the person or among the belongings of the person or concealed upon the person or among the belongings of another while still on the premises of a library shall be prima facie evidence of intent to commit larceny thereof.

Section 1.c.) The willful removal of a book or other library property in contravention of library regulations shall be prima facie evidence of intent to commit larceny thereof.

Section I.d.) The willful alteration or destruction of library ownership records, electronic or catalogue records retained apart from or applied directly to a book or other library property shall be prima facie evidence of intent to commit larceny of a book or other library property.

Section II.a.) An adult agent or employee of a library who has reasonable grounds to believe that a person committed, was committing, or was attempting to commit the acts described in Section I may stop such person. Immediately upon stopping such person the library employee shall identify

himself and state the reason for stopping the person. If after the initial confrontation with the person under suspicion, the adult agent or library employee has reasonable grounds to believe that at the time stopped the person committed, was committing, or was attempting to commit the crimes set forth in Section I, said employee or agent may detain such person for a time sufficient to summon a peace officer to the library. In no case shall the detention be for a period of more than one-half (1/2) hour. Said detention must be accomplished in a reasonable manner without unreasonable restraints or excessive force, and may take place only on the premises of the library where the alleged crime occurred. Library premises includes the interior of a building, structure, or other enclosure in which a library facility is located, the exterior appurtenances to such building, structure, or other enclosure, and the land on which such building, structure, or other enclosure is located. Any person so stopped by an employee or agent of a library shall promptly identify himself by name and address. Once placed under detention, such person shall not be required to provide any other information nor shall any written and/or signed statement be elicited from him until a peace officer has taken him into custody. The said employee or agent may, however, examine said property which the employee or agent has reasonable grounds to believe was unlawfully taken as set forth in Sections I.b and/or I.c. or injured or destroyed as set forth in Sections I.a and/or I.d. Should the person detained refuse to surrender the item for examination, a limited and reasonable search may be conducted. Only packages, shopping bags, handbags, or other property in the immediate possession of the person detained, but not including any clothing worn by the person, may be searched.

Section II.b.) For the purposes of Section II.a

“reasonable grounds” shall include, but not be limited to, knowledge that a person has concealed or injured a book or other library property while on the premises of the library.

Section II.c.) In detaining a person whom the employee or agent of the library has reasonable grounds to believe committed, was committing or was attempting to commit any of the crimes set forth in Section I, the said employee or agent may use a reasonable amount of nondeadly force when and only when such force is necessary to protect himself or to prevent the escape of the person being detained or the loss of the library's property.

Section III. An adult agent or employee of a library who stops, detains and/or causes the arrest of any person pursuant to Section II shall not be held civilly liable for false arrest, false imprisonment, unlawful detention, assault, battery, defamation of character, malicious prosecution or invasion of civil rights of the person stopped, detained and/or arrested, provided that in stopping, detaining or causing the arrest of the person, the adult agent or employee had at the time of the stopping, detention or arrest reasonable grounds to believe that the person had committed, was committing, or was attempting to commit any of the crimes set forth in Section I.

Section IV. The fair market value of property affected by crimes set forth in Section I determines the class of offense: value under \$500 indicates a misdemeanor; \$500-\$5,000 a Class I felony; above \$5,000 a Class II felony.

The aggregate value of all property referred to in a single indictment shall constitute the value thereof.

Section V. A copy or abstract of this act shall be posted and prominently displayed in all libraries.

Section VI. This act shall take effect upon passage. ■ ■

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## Library resources in Wisconsin: The preservation outlook

On September 25 and 26, 1986, JoAn Segal and I had the privilege of attending a conference on preservation entitled, “Library Resources in Wisconsin: The Preservation Outlook,” held at the Wisconsin State Historical Society in Madison. The conference, funded by the Highsmith Company of Fort Atkinson and sponsored by the General Library System of the University of Wisconsin-Madison, was attended by seventy-five participants from libraries in Wisconsin, Utah, Indiana, Michigan, Iowa, the Library of Congress, and Illinois as well as representatives from the Center for Research Libraries, the Association of Research Libraries, ACRL, the New England Document Conservation Center, and the School of Library and In-

formation Studies at Madison.

Speakers, including Jim Haas, Carolyn Morrow and Sherelyn Ogden, informed participants about the urgency of the preservation issue, both nationally and regionally, preservation administration, and many practical and workable approaches to preservation. Kaye Gapen shared a proposed plan for a Wisconsin preservation program with the audience. This plan was then discussed in small group sessions followed by summaries and an agenda for the future.

Throughout the conference it became quite clear that preservation of library materials, whether in print or non-print format, should be a matter of the utmost urgency not only for all libraries, but also

for the nation as a whole if vital historical information as well as electronic information, which is just in the development stages, should be preserved. Librarians must continue to sponsor programs to increase the public's awareness of the urgency of the

preservation problems. Public and private funding sources should be mobilized to support adequate preservation programs to conserve the nation's information base.—*Hannelore B. Rader, ACRL President.* ■■

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## The expanding universe of special formats

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### *Some local strategies for collection development of computer software.*

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**I**n the fall of 1982, the North Texas State University Libraries received several requests for computer software. Since the libraries had never purchased this type of material, the administration appointed a committee to investigate the matter and make recommendations. Two issues were of immediate concern: the considerable expense involved in the purchase of such materials including the necessity for special handling, and the need to provide accessibility of the material to our patrons.

Both of these concerns had far-reaching implications. It was obvious that such materials tended to be extremely expensive, difficult to evaluate for purchase, time-consuming to catalog, and required special, diverse equipment to access. For insight into the problems, the committee decided to

review the literature then available, but the review provided only limited assistance. Next the committee issued a questionnaire to be sent to a select group of libraries in the United States and Canada.<sup>1</sup> Analysis of the responses to the questionnaire simply accented the general lack of information on how to deal with machine-readable formats as library materials.<sup>2</sup>

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<sup>1</sup>The questionnaire was sent to 100 academic and research libraries: the 50 libraries identified from statistics of Southern college and university libraries published by Louisiana State University Library; and the 50 largest libraries from the current ARL listing not included in the first 50. Forty-eight libraries provided usable responses to all questions.

<sup>2</sup>SPEC Kit #123, *Microcomputer Software Poli-*