

Theft and Mutilation of Library Materials and Property

FACT SHEET

Chapter 61 of the Acts of 1990.

“An Act Relative to Theft and Mutilation of Library Materials and Property”

This law was enacted to deal with the rising incidence of the theft and mutilation of library materials and property. It will provide libraries, their employees, their employees and their agents with legal protection to insure security for their collections. It is the intent of this law that the prosecution of crimes affecting books or other library property is executed with the same degree of diligence as is exercised in the prosecution of crimes affecting all other forms of property.

- Updates and amends the previous laws, which were passed in the 19th century;
- Broadens the definition of the types of library materials and includes library property such as walls, wainscoting, building or rooms used for library purposes, bookmobiles, kiosks and furnishings;
- Stiffens the fines and punishment for library theft and the mutilation of property and materials;
- Provides for the payment of replacement value of library materials or property including all reasonable processing costs;
- Provides for the punishment by fine of persons convicted of giving false identification;
- Provides for the punishment of persons convicted of the willful alteration or destruction of library ownership, electronic or catalog records;
- Requires libraries to post a sign giving a summary and explanation of the law.

Effective 6 September 1990

STATE LAW makes theft or mutilation of
Library materials or property a crime

M.G.L. Chapter 61, Acts of 1990; M.G.L. Chapter 266, Sections 99 and 100

Any person who willfully:

- Conceals and/or removes any library materials or property from the premises without authority; or

- Fails to return any library materials or property which have been lent to said persons by the library facility, within thirty (30) days after demand has been made for their return; or
- Uses false identification or a fictitious name; misuses another person's library card, uses a revoked, expired or canceled library card or uses a falsely made library card to borrow library materials or property; or
- Alters or destroys library ownership, electronic or catalog records; or
- Mutilates, destroys, or otherwise damages, in whole or in part, any library materials or property;

May be punished upon conviction by imprisonment and/or a fine of up to \$25,000 and required to make full restitution.