

## TLN Membership Meeting Minutes

Date: Friday, May 10, 2019 at 11:00 a.m.

Location: Pinckney Community Public Library

Recording Secretary: Doug Koschik (Baldwin Birmingham)

### Agenda

1. Call to order: by Andrea Dickson (Wixom) at 11:07 a.m.

**Introduction of members:** Patty Braden (Romulus), Lori Coryell (Chelsea), Andrea Dickson (Wixom), Dave Ewick (Southfield), Cathy Forst (Springfield), Jude Halloran (Highland Twp.), Tina Hatch (Milford), Holly Hentz (Hamburg Twp.), Rebecca Higgerson (Brandon Twp.), Garrett Hungerford (Redford), Doug Koschik (Baldwin Birmingham), Holly Ward Lamb (Howell), Toni LaPorte (Livonia), Ishwar Laxminarayan (Westland), Cindy Mack (Brighton), Jenny Marr (Ferndale), Clare Membiela (Library of Michigan), Mary Ellen Mulcrone (Saline), Teresa Natzke (Franklin), Connie Jo Ozinga (Commerce Twp.), Jim Pletz (TLN), Don Priest (Southgate), Shauna Quick (Brandon Twp.), Hope Siasoco (Pinckney), B Stokanovich (Hamburg Twp.), Vanessa Verdun-Morris (Taylor), Jody Wolak (Wayne)

**Virtual attendance:** Jaema Berman (Addison Twp.), Sandi Blakney (Allen Park), Kathy Dimond (Manchester), Azita Frattarelli (Riverview), James Lenze (Garden City), Paul McCann (Dexter), Mary Jo Suchy (Belleville), Holly Teasdale (Lyon), Karrie Waarala (Saline), Roslyn Yerman (Madison Heights)

2. Approval of the agenda: 1<sup>st</sup> Marr, 2<sup>nd</sup> Hungerford. All approved.
3. Approval of the minutes of the March 8 meeting: 1<sup>st</sup> Braden, 2<sup>nd</sup> Hungerford. All approved
4. Announcements: Southfield will expand its hours within a few weeks. Southfield will hold a WeatherFest on May 13. Ewick said the PuppetART, of Southfield, puts on great programs.
5. Chairperson's report: TLN's annual audit was presented to the Executive Board in March. It was a clean report. There was no Executive Board meeting in April.
6. Old business: No report.
7. New business:
  - a. Since Pletz came to TLN in June 2009, there has been an 80%-90% turnover in library directors.
  - b. Community engagement: Jaslove has finished his six-month contract. Pletz and other TLN staff will run programs from now on. There was a suggestion to put all of the relevant information on a single page on the TLN website.
  - c. Member library survey: Dickson is in the process of developing it.
  - d. Reciprocity and Library Privacy Act: This discussion began during the Steering Committee meeting, and continued on during the Membership meeting.

After suffering major video game losses, Livonia had instituted a procedure of requiring a non-SAS patron who is signing up for Livonia borrowing privileges to get a signed Patron in Good Standing Form from their home library. Canton had protested and asked TLN for mediation.

Pletz distributed an opinion from Clark Hill that concluded: "TLN members would likely not violate the Library Privacy Act (LPA) in sharing information with each other about the standing of patrons."

Clare Membiela, Library Law Consultant at the Library of Michigan, was present at the meeting to discuss this issue. She had spoken with several other attorneys about the matter. She noted that LPA had been passed, in the early 1980s, to prevent law enforcement agencies from obtaining patron records without a subpoena. Since then, there has been no case law on LPA, and only a single opinion from the State Attorney General, from 1985, which concerned school libraries. Therefore, the meaning of the law is open to interpretation, with different attorneys having different opinions. She, for example, disagrees with the Clark Hill opinion.

Membiela drew a distinction between seeking assistance to have long-overdue items returned and "prophylactically" trying to ensure that patrons will never steal library materials. The former is clearly permitted under LPA, while the latter is not.

Membiela believes that issues other than privacy are of greater importance here. LDA has a maximum fine limit of \$250. If a library gets sued for discrimination, however, there is no limit on potential liability.

Why might Patron in Good Standing Forms (PGSFs) be considered discriminatory? To begin with, the libraries that require them currently do so only for people from neighboring communities, not for people moving in from another state. Secondly, PGSFs might be shown to have a disparate impact against poor, struggling families. Finally, PGSFs enshrine the idea that past history is a valid prediction of future behavior.

Another factor to consider is how much time (and therefore money) it takes staff to handle PGSFs. Is it worth it? Also, are non-residents actually more likely than residents to be delinquent in returning materials.

Membiela expressed concerns for those libraries that have suffered major losses, but believes that they would be on safer ground if, instead of PGSFs, they set lower limits on the number of items non-residents can check out if they implemented probationary periods for patrons.

There was a lively, but respectful, exchange of opinions. In the end, both Livonia and Chelsea said that they would stop the use of PGSFs. Livonia stated that there was no longer any need for mediation.

The Steering Committee might hold a special meeting before July in order to approve a statement about this matter.

- e. Fine free trend: Three or four of the libraries represented at this meeting are already fine-free. A similar number are considering it. Siasoco reported that Pinckney is fine free, but has a voluntary collection jar at its Circulation Desk, and so far has collected \$1,000.
8. Adjournment at 12:58 p.m.: 1<sup>st</sup> by Hungerford, 2<sup>nd</sup> Coryell. All approved.

**Next meeting (annual picnic): Tuesday, July 9, 10:00 a.m., at Dodge Park Pavilion, Commerce Township**