

IN THE IOWA DISTRICT COURT OF SIOUX COUNTY

STATE OF IOWA,

State,

NO. SMSM026797

VS.

PAUL ROBERT DORR,

Defendant,

**AFFIDAVIT TO AMEND/CLARIFY
MEMORANDUM IN SUPPORT OF
DEFENDANT'S MOTION TO DISMISS**

COMES NOW the Defendant, Paul Robert Dorr, to swear to this amendment of the Memorandum In Support Of Defendant's Motion to Dismiss filed June 6, 2019. Orange City Librarian Sue Kroesche contacted me on October 28, 2018, to advise that "...the Library now has a go fund me page that has nearly \$1,000 in it, and that money will be used to purchase" replacements of the four non-returned books.

It was reported in the October 28, 2018, Sioux City Journal (*Ex. 8*) that Director of the Orange City Library, "Vazquez said a few hundred dollars' worth of donations have rolled in, as well as some books."

During this same time opponents were apparently confirming Vazquez's report to me via my Facebook page advising me that they were donating to replace the books in my name.

Charges of criminal mischief in the 5th degree were still filed by the Orange City Police Department on November 8, 2019. Further compensation came in when the fine for the library books was paid again by a third party on December 14, 2018. (*Ex. 3*) The State of Iowa charged me even when public reports from the library were that they received donations to replace them. Then when the specific books were paid for, the State still did not dismiss the charges.

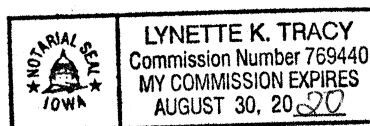
Exhibit Ten was improperly labeled on the Affidavit of Paul Dorr in support 6-6-19 with Exhibits filing of June 6, 2019. See the correct Exhibit Ten herein.

FURTHER YOUR AFFIANT SAITH NOT.

Paul R Dorr H
Paul Robert Dorr

Subscribed and sworn to before me
This 7th day of June, 2019

Lynette K Tracy
Notary Public





Circulation Policy

Revised June 2018

Purpose

The purpose of the Circulation Policy is to establish who may obtain a library card at the Orange City Public Library, the privileges associated with a library card, and what might cause those privileges to be suspended. The Circulation Policy establishes fines and fees for overdue, lost or damaged materials, and other circulation services.

Borrowers:

- Residents living within the city limits of Orange City are entitled to a Full Access library card free of charge.
- Residents of governmental entities in Sioux County (incorporated or unincorporated) are entitled to a Full Access library card free of charge, if their respective entities provide adequate yearly funding.
- Nonresidents (not living in the city of Orange City or other funding entities) who own property within the city limits of Orange City or other funding entity must present a property tax receipt to receive a free Full Access library card. Tax receipt check is required annually.
- Nonresidents (not living in the city of Orange City or other funding entities) may purchase a Full Access-Paid library card for \$70 per year. Full Access-Paid card holders will have the same borrowing privileges as Orange City resident patrons.
- Iowa residents who are nonresidents (not living in the city of Orange City or other funding entities) may apply for a free Open Access card. Digital access is limited.
- Out-of-state residents may purchase a Full Access-Paid library card for \$70 per year. Full Access-Paid card holders will have the same borrowing privileges as Orange City resident patrons.
- International visitors who have not established a U.S. residence, are not eligible to apply for a library card but are welcome to use the facilities during their visit in the United States.

To obtain a card, all individuals must be 12 or older and provide a photo ID and current address verification. Acceptable forms of ID and address verification include the following:

Photo ID:

Driver's License

State/Federal issued ID card (this includes internationally issued ID Cards)

School ID card

Address Verification: (if the address is different from, or not listed on, the Photo ID)

Checkbook

Current utility bill

Letter with a current postmark

If a visitor is providing an ID or documents that create some doubt, the staff may tell the visitor that he/she may use items in the library but that they may not checked materials until the Administrative Librarian reviews copies of the documents and the library card application.

Special Library Cards

Special cards are available for institutions that house outreach/homebound collections and are assigned to libraries participating in interlibrary loan.

Cards are available for MOC/FV, Unity, OCCS teachers, and daycare providers for use with students.

The cardholder is responsible for materials checked out on a teacher card. Cards are valid for one year.

Transitional Housing

Residents in transitional housing may have a library card provided they present a valid photo ID and address verification-The State's 'Safe at Home' address may be used. These patrons will be "Orange City" type patrons rather than Open Access.

Library Card Applications**Card Holder Information**

When you sign up for your library card, you sign a statement agreeing to the following:

I am responsible for:

- Presenting this card when checking out material.
- All material checked out on this card.
- Not lending this card to others.
- Notifying the library if the card is lost or stolen, or if I change name, address, phone, or email.
- I am responsible for payment of all fines and for lost or damaged materials borrowed on this card.

Library Cards for Children

Minors age 12 and older are eligible to get a library card without a parental signature if they:

1. Can fully & completely fill out the library card application form.
2. Can verify their address. Acceptable forms of verification include: mail addressed to them, proof of address postcard, or verifying with the school.

Replacement Card

A charge of \$3.00 will be made for replacement of a lost or damaged library card.

A replacement library card will be issued after a patron has paid all fines and/or returned all overdue material borrowed on the previous card.

Outdoor Book Drop

A book drop is located on the outside of the building for patrons wanting to return items when the library is closed. Items returned in the book drop after the library is closed, will be checked in on the next day the library is open.

Inter-library Loan

If the library does not have an item, a patron can request that it be found via Inter-Library Loan. The due date is set by the lending library and can only be changed with special permission. The Orange City Library will not request ILL books for any Open Access patron. No more than five books or five periodical articles per patron per week may be procured through inter-library loan.

In accordance with the Interlibrary Loan program of the State Library, the library is authorized to charge up to \$3.00 for Inter-Library Loan.

Fines and Fees**Purpose**

The Orange City Public Library offers a wide variety of services that requires the library to charge a fee to recover costs. These fees are not placed on "essential" library services, such as the ability to borrow books or to attend a program. Fee based services enable the library to offer services that would not otherwise be possible to provide.

Policy

The fee charged for various services and products is evaluated by the Director, and is adjusted occasionally to cover staff time and supplies. These services include, but may not be limited to:

CD/DVD cleaning	\$2.00	Blank CD-R purchase	\$1.00
Replacement Library Card	\$3.00	Fax- send or receive	\$1.00/\$0.50 per page
Earbud Purchase	\$1.50	Printing & Photocopies	\$0.15/\$1.00
Inter-Library Loan	\$2.00	Processing Fees	\$1.00-3.00
Out of State, Non-OA Fee	\$70 per year	Dutch Costume Patterns	\$1.50-10.00
Out of State, Non-OA Fee	\$70 per year	Dutch Costume Patterns	\$1.50-10.00

**The Orange City Public Library collects fees for Dutch Costume Patterns on behalf of the Dutch Pattern Committee.*

Fines

The library charges fines to encourage compliance with due dates in order to promote fair and equal access. Fines are charged for each calendar day the library is open starting the first day overdue (some materials may have one day grace period). Materials returned via the drop box after closing are considered returned on the next day the library is open.

Library privileges, including computer use, are suspended if a fee or fine of ~~\$2.00~~ or more than \$2.00 is on the patron library card, or patrons have materials that are overdue two months or longer.

A fine may be waived in full or part with permission of the Director, on a case-by-case basis and for extenuating circumstances.

Check out Periods

ITEM	CHECKOUT PERIOD	RENEWALS	FINES PER DAY
Books	3 weeks	2 Renewals	\$0.10
Audio CDs	3 weeks	2 Renewals	\$0.10
DVD	1 week	No Renewals	\$1.00
Art Prints	2 months	2 Renewals	\$1.00
Magazines	1 week	2 Renewals	\$0.10
Kits	3 weeks	2 Renewals	\$0.10
Equipment	1 day – 3 weeks	No Renewals	\$1.00

Equipment Policy

The Orange City Public Library has various laptops and tablets available for patrons to use in the library. Some laptops tablets are also available for check out. iPads are locked down in the library and must not be taken from their designated area, but are free to be used by anyone.

Availability

- Laptops and projectors can be checked out for one day.
- Ereaders are available to be checked out for three weeks.
- Equipment is available on a first come first serve basis and cannot be reserved.
- A cardholder may borrow only one piece of equipment per day.

Fees and Liability

The borrower is financially liable for any lost stolen or damaged tablet or laptop.

- | | |
|--|--|
| • Damaged Tablet, Laptop or accessory | Repair cost (up to replacement cost)+\$20 Processing fee |
| • Lost or Stolen Tablet, Laptop or accessory | Replacement cost +\$20 processing fee |

Limitations on Laptop or Tablet Use

- Borrowers who wish to print from a laptop should consult with library staff.
- Do not store files on library equipment, use alternate storage methods such as USB drives, cloud storage, etc.
- Staff may not be available to provide technical support.
- Tampering with tablets or laptops or attempting to access or modify the operating system or other programming, including bypassing security functions, is prohibited.
- The tablets and laptops may not be used to engage in illegal activities or to disturb other patrons.
- The patron must adhere to the Orange City Public Library Internet Use policy.

Policy

The Orange City library welcomes patrons to use the gaming systems. Special times, events, and tournaments may include adult participation. To use the gaming system:

1. Users must have a valid Orange City Public Library card in good standing.
2. Game playing will be limited to 30 minutes (1/2-hour). If no one is waiting to use the system, play may continue. Anyone using the Gaming System must be willing to end the game when requested by staff.
3. Users will check out the games, controllers and other accessories on their cards at the front desk. No outside games will be played without permission.
4. Any broken, damaged, or dysfunctional equipment caused by patron misuse will be charged to the patron's card, and library privileges will be suspended until costs are cleared from the card.
5. A list of games will be provided. Games and accessories will be kept at the front desk when not in use.
6. Users are asked to treat the equipment gently. Users who do not treat equipment gently will be asked by staff to stop for the day. A user who repeatedly abuses equipment will have his/her Gaming System privileges revoked.
7. Patrons using the gaming system must return all borrowed gaming controllers and equipment.

Overdue Materials

The library is entrusted by the citizens of Orange City to provide, maintain and track over 60,000 items that have been purchased with tax payer dollars. In order to protect public property the library has a schedule it follows for overdue materials.

Patrons will be asked to provide either an email address or a telephone number for text messages in order to better facilitate communication about reserved or overdue materials. The Library will attempt to send overdue notices via email or text message 3 days in advance of an item becoming due.

Overdue notices will be sent by email, text or phone call, per patron preference, after items have been overdue for one week or more. For those patrons who have provided no email address, a letter will be sent itemizing the overdue items after the items are overdue by two weeks or more. The patron will not be allowed to "renew" the items to avoid the fine or incurring replacement charges. After total fines reach \$2.01, Library privileges (including computer use) will be blocked.

The following schedule will be followed for all overdue materials not returned after initial emails texts and phone calls:

- At least 7 days overdue, a first notice will be sent- phone, email, or text
- At least 14 days overdue, a second notification will be sent. –letter, email, or text
- At least 28 days overdue, a letter with itemized bill of materials and costs will be sent along with a warning of impending legal action if the account is not cleared.
- 60 days overdue a certified letter will be sent with an itemized bill and a "notification of criminal action" as described in Iowa Code section 714.5. The cost of postage, certified mail, and return receipt will be assessed to the cardholder.
- If the certified letter gets no result, the Library Director may contact law enforcement or the County Attorney.
- Keeping library materials after library personnel have followed these steps to get public property back constitutes the crime of theft. The replacement charge includes the value of the item and a processing fee. When the item is paid for, the overdue fine will be waived.

Adopted 2002, Reviewed 2004, Revised 2007, Revised 2012 Revised 11/2014, Revised 11/2015, Revised 6/2018