

# Theft

N.J.S.A.

2C:20-12. Library material and library facility defined

The following definitions apply to sections 2 through 4 of this act<sup>1</sup> as they relate to the theft of library material:

- a. "Library material" means any material regardless of physical form or characteristics, or any part thereof, belonging to, on loan to, or otherwise in the custody of a library facility;
- b. "Library facility" means any public library, any library of an educational, historical, or charitable institution, organization or society, or any museum.

L.1985, c. 373, § 1.

Sections 2C:20-13 through 2C:20-15.

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2C:20-13. Library materials; purposeful concealment; prima facie presumption

Any person who purposely conceals, on or off the premises of the library facility, upon his person or among his belongings, or upon the person or among the belongings of another, any library material shall be prima facie presumed to have concealed the material for the purpose of depriving the library facility of its use or benefit.

L.1985, c. 373, § 2.

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2C:20-14. Taking person into custody for probable cause for belief of willfully concealing library material; arrest without warrant; probable cause for belief of theft; immunity from liability

- a. A law enforcement officer, a special officer, or an employee of a library facility who has probable cause for believing that a person has willfully concealed library material and that he can recover the material by taking the person into custody, may, for the

purpose of attempting to recover the material, take the person into custody and detain him in a reasonable manner for reasonable time. Taking the person into custody shall not render the law enforcement officer, the special officer, or the employee of a library facility civilly or criminally liable.

b. Any law enforcement officer who has probable cause for believing that a person has committed the offense of theft of library material may arrest the person without warrant.

c. An employee of a library facility who causes the arrest of a person for theft of library material, as provided for in this act, shall not be civilly or criminally liable where the employee has probable cause for believing that the person arrested committed the offense of theft of library material.

L.1985, c. 373, § 3.