

Sex Offender Policy

Iowa Code:

Iowa Code Section 692A.113 prohibits a sex offender who has been convicted of a sex offense against a minor from being present upon public library real property without the written permission of the library director, or from loitering within 300 feet of the boundary of the real property of a public library.

- A “sex offender” is someone who is required under Chapter 692A to be on the Sex Offender Registry.
- "Sex offense against a minor" means an offense for which a conviction has been entered for a sex offense classified as a tier I, tier II, or tier III offense under Chapter 692 if such offense was committed against a minor, or otherwise involves a minor.
- “Loiter” means remaining in a place or circulating around a place under circumstances where a reasonable person would believe that the purpose or effect of the behavior is to enable a sex offender against a minor to become familiar with a location where a potential victim may be found, or to satisfy an unlawful sexual desire, or to locate, lure, or harass a potential victim.

In addition, the law prohibits a sex offender who has been convicted of a sex offense against a minor from being employed by or from acting as a contractor or volunteer at any public library.

Exceptions:

There are two exceptions to this law. A sex offender who has been convicted of a sex offense against a minor may be present: 1) during the period of time reasonably necessary to transport the offender’s own minor child or ward to or from the library; and 2) during the period of time reasonably necessary to vote in a public election if the polling place is located in the library.

The Library Director acts as “library administrator” for purposes of Iowa Chapter 692A. Iowa Code Section 692A.113(f) allows the Library Director to give written permission to sex offenders convicted of sex offenses against minors to be on Library property. Offenders who apply and receive

permission to be on Library property will be required to have a pass issued by the Librarian and his/her library card on his/her person at the time he/she is on the Library premises. The offender is required to have the pass and the library card renewed each year. Any prohibited conduct or behavior will invoke an immediate call to the police and revocation of the pass.

A library card issued to a sex offender against minors prior to July 2, 2009 does not constitute written permission from the Library.

Access to Materials:

Anyone denied written permission to be on Library property under this policy may choose to register for a card via a representative person of his/her choosing. When acting on behalf of an offender, such representative must be prepared to present his/her own valid identification to Library staff. This representative person may select, check out, and return materials using the offender's card. Under any of these circumstances, the offender will remain responsible for all activity on his/her card. The offender/representative may access information resources via telephone or the Library's website. Anyone denied written permission under this policy may appeal the decision to the Library Board of Trustees at any open meeting where a quorum is present.

Enforcement:

The responsibility for compliance with this law rests with the offender. However, if Library staff has knowledge or receives information, that a person who has been convicted of a sex offense against a minor is on library premises, the Webster County Sheriff's Office will be contacted.

Volunteers and applicants for employment will be screened as appropriate for compliance with the law.