

Policy Regarding Library Access for Sex Offenders Against Minors
City of North Liberty, Iowa

- I. Purpose. The Iowa Legislature passed, and the Governor signed, Senate File 340, which went into effect on July 1, 2009. Senate File 340 is a complete overhaul of Chapter 692A of the Code of Iowa, dealing with the registration of persons convicted of crimes designated as sex offenses. Senate File 340 includes new restrictions related to the use of public libraries on persons convicted of crimes designated as sex offenses against minors. The City of North Liberty has adopted this policy to ensure compliance with the new provisions of Chapter 692A regarding restrictions on public library access. For more information on Senate File 340 and the Iowa Sex Offender Registry, please visit www.iowasexoffender.com.
- II. Application. This policy applies only to a person convicted of a sex offense against a minor as defined in Iowa Code Section 692A.101(28). All others are allowed access to the North Liberty Community Library under the same terms and conditions as the general public.
- III. Policy Statement. Pursuant to Iowa Code Section 692A.113(1)(f), a person who has been convicted of a sex offense against a minor may not be present upon Library Grounds without the written permission of the Board. In addition, a person who has been convicted of a sex offense against a minor may not "loiter", as defined in Iowa Code Section 692A.101(17), on or within 300 feet of the Library Grounds. Any person found to be violating these provisions will be immediately reported to law enforcement.
- IV. Definitions.
 - a. Board. The term "Board" shall refer to the North Liberty Community Library Board of Trustees.
 - b. Library. The term "Library" shall refer to the North Liberty Community Library.
 - c. Library Grounds. The term "Library Grounds" shall refer to the real property within the following boundaries:
 - i. The Eastern boundary shall be a line extending roughly North and South from and parallel to the main entry doors to the North Liberty Community Library from the rest of the Community Center. Such boundary shall begin at a line extended from and parallel to the South edge of the sidewalk between the building and the North Community Center parking lot area and shall end at the North edge of the sidewalk between the building and the South Community Center parking lot area;
 - ii. The Northern boundary shall be the South edge of the sidewalk between the building and the North Community Center parking lot area;

- iii. The Western boundary shall be the East edge of the sidewalk between the building and the West Community Center parking lot area;
 - iv. The Southern Boundary shall be the North edge of the sidewalk between the building and the South Community Center parking lot area;
 - v. Any other room, structure or area within the North Liberty Community Center or at any other location during the time such room, structure or area is in use by the North Liberty Community Library for Library programs.
- d. Person. The term “person”, unless otherwise noted, shall refer to an individual who has been convicted of a sex offense against a minor, as defined in Iowa Code Section 692A.101(28).

V. Application Process.

- a. A person convicted of a sex offense against a minor who is classified as a Tier I Offender under the provisions of Iowa Code Section 692A.102 may petition the Board for permission to be upon the grounds of the Library. Any such person may contact the Library Director, or his/her designee, by telephone at 319-626-5701 for more information and an application form.
- b. No person shall be granted written permission to be upon Library Grounds if he or she has convicted of a sex offense against a minor and is classified as a Tier II or Tier III Offender under the provisions of Iowa Code Section 692A.102.
- c. No person shall be granted written permission to be upon Library Grounds if the person is subject to this Policy and has been convicted of an aggravated offense, as defined in Iowa Code Section 692A.101(1)(a), regardless of the age of the victim of the aggravated offense and regardless of the person’s Tier classification.
- d. Upon receipt by the Library Director of a completed application for permission to be upon Library Grounds, the Library Director shall present such application to the Board at the Board’s next regularly-scheduled meeting. The Board may consider the following factors in determining whether permission should be granted:
 - i. The offense for which the person has been convicted;
 - ii. The person’s likelihood to re-offend, if available from the Department of Corrections and/or Sheriff of the County of the person’s residence;
 - iii. Information obtained from the person’s parole or probation officer, if the person is on parole or probation;
 - iv. The person’s intended use of the Library; and
 - v. Any other information the Board deems relevant.
- e. The Board’s meetings are open to the public. Any applicant may speak before the Board in favor of his or her application. The Board may reasonably request additional information from any applicant, whether or not that person is present at the Board’s meeting.

- f. Any application that is incomplete or provides false information shall be denied. Any application for which the Board has requested additional information shall be denied, if the Board does not receive such information prior to the Board's first regular meeting following such request.
- g. If the Board grants permission to a person to be upon Library Grounds, the Library Director shall notify such person by regular U.S. Mail.

VI. Terms and Conditions/Restrictions.

- a. A person who is granted permission pursuant to this policy to be upon the Library Grounds shall be subject to the same terms and conditions as the general public, and may be subject to additional restrictions as contemplated in paragraph b.
- b. A person who receives written permission to be upon the Library Grounds may be subject to Library use restrictions, including, but not limited to:
 - i. Time of day restrictions;
 - ii. Computer use restrictions;
 - iii. Study room use restrictions; and
 - iv. Any other restriction deemed advisable or necessary by the Board.
- c. A person who has been granted written permission to be upon Library Grounds will receive written notification of any restrictions on his or her use of Library facilities or services.
- d. Upon application of a person who is granted written permission or the Library Director, Library use restrictions imposed upon a person may be amended, at the sole discretion of the Board.

VII. Revocation of Permission/Removal from Library Grounds

- a. Should the Library Director or Board discover, after the Board has granted a person permission to be upon Library Grounds, that the person provided false information on his or her application, such person's permission shall be immediately revoked and the person shall be notified of such revocation as soon as possible in person or via telephone, and by regular U.S. Mail.
- b. Should a person ever be found to have violated the general terms of conditions of the Library or any special restrictions on use established by the Board for such person, such person's permission shall be immediately revoked and the person shall be notified of such revocation as soon as possible in person or via telephone, and by regular U.S. Mail.
- c. Any person whose permission has been revoked under this section and who remains on or enters Library Grounds after receiving any notice of such revocation shall be immediately reported to law enforcement and shall be removed from Library Grounds.
- d. Any person who violates any term of this policy shall be immediately reported to law enforcement and shall be removed from Library Grounds.

VIII. Access to Library Materials

- a. Any person who has been convicted of a sex offense against a minor, regardless of classification or whether or not such person has been granted written permission to be upon Library Grounds, may check out and use Library materials pursuant to this policy.
- b. In order to check out materials, a person who has not been granted written permission to be upon Library Grounds must contact the Library Director, or his/her designee, at 319-626-5701, and designate another who may check out materials on behalf of such person. Any person so designated must either not be subject to this policy or must have been granted written permission to be upon Library Grounds pursuant to this policy.
- c. Use of materials under this section shall be subject to the same terms and conditions established for use by the general public, and a person who utilizes this Section may be subject to use restrictions as stated in Section VI.b.

Written: August 2009