

LIBRARY ACCESS FOR SEX OFFENDERS AGAINST MINORS POLICY

City of North Liberty, Iowa

I. Purpose

The City of North Liberty has adopted this policy to ensure compliance with the provisions of Chapter 692A of the Code of Iowa. Chapter 692, in part, places certain legal restrictions on persons who have been convicted of a sex offense against a minor, or who are required to register as sex offenders in another jurisdiction for an offense involving a minor, including specific restrictions on access to public libraries. For more information, please visit www.iowasexoffender.gov.

II. 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 situated at 520 West Cherry Street in North Liberty, and which is depicted as Lot 4 of the North Liberty Commercial Park and recorded in Plat Book 32, Page 242, of the Records of the Johnson County Recorder's Office.
- D. Offender. The term "Offender", 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), or an individual required to register as a sex offender in another jurisdiction for an offense involving a minor.

III. Policy Statement

Pursuant to Iowa Code Section 692A.113(1)(f), an Offender may not be present upon Library Grounds without the written permission of the Board. In addition, an Offender 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. Applicability

This policy applies only to a person satisfying the definition of Offender as set forth in Paragraph II-D above. All others are allowed access to the North Liberty Community Library under the same terms and conditions as the general public.

V. Application Procedure

- A. An Offender who is classified as a Tier I Offender under the provisions of Iowa Code Section 692A.102(1)(a) may petition the Board for permission to be present upon the grounds of the Library. Any such person (hereinafter, an "Applicant") may contact the Library Director, or his/her designee, by telephone at 319-626-5701 for more information and an application form.
- B. No Offender shall be granted written permission to be present upon Library Grounds who is classified as a Tier II Offender or Tier III Offender under the provisions of Iowa Code Section 692A.102(1)(b) or (1)(c), respectively, or who has been convicted of an aggravated offense against a minor, as defined in Iowa Code Section 692A.101(2)(a).

- C. Upon receipt by the Library Director of a completed application for permission to be present 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 Applicant has been convicted;
 - ii. The Applicant'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 Applicant's parole or probation officer, if the applicant is on parole or probation;
 - iv. The Applicant's intended use of the Library; and
 - v. Any other information the Board deems relevant.
- D. 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.
- E. 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.
- F. If the Board approves the application of an Applicant to be present upon Library Grounds, the Library Director shall notify the Applicant and his or her parole/probation officer via U.S. Mail.

VI. Terms & Conditions/Restrictions

- A. An Applicant who is granted written permission pursuant to this policy to be present upon the Library Grounds (hereinafter, a "Permittee") shall be subject to the same terms and conditions as the general public, and may be subject to additional restrictions as contemplated in Paragraph VI.B below.
- B. A Permittee 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 Permittee will receive written notification of any restrictions on his or her use of Library facilities or services.
- D. Upon application of an Permittee or the Library Director, Library use restrictions imposed upon a Permittee 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 that a Permittee provided false information on his or her application, such permission to be present upon Library Grounds shall be immediately revoked and the individual shall be notified of the revocation as soon as practicable in person or via telephone, and by regular U.S. Mail.

- B. Should a Permittee be found to have violated any terms, conditions or restrictions described in section VI above, such individual's permission to be present upon Library Grounds shall be immediately revoked and the individual 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 upon 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 Offender, regardless of whether or not such person has been granted written permission to be present upon Library Grounds, may check out and use Library materials pursuant to this policy.
- B. In order to check out materials, an Offender who has not been granted written permission to be present 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 the Offender. Any person so designated must either not be subject to this policy or must have been granted written permission to be present 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 described in Section VI, above.