

APPENDIX B: PROCEDURE FOR SEX OFFENDERS

Reviewed by Library Board November 2022

The State of Iowa has established a law that prevents certain sex offenders from using public libraries and other local entities where children are likely to be present. At this time, public libraries in Iowa are employing this law in many different ways. Some libraries have adopted policies, but our City Attorneys have advised us that we should focus on the law itself and not adopt a policy until we see a definite need for one.

Under this law, sex offenders are divided into Tiers, and those in specific Tiers may be prevented from using the library. It is important to understand that the law does not keep all registered sex offenders from using public libraries.

The law also says that those sex offenders who are prevented from being at the library may visit it if they have written permission from the library's administration. On this point, let me state clearly that any sex offender seeking such permission from the West Des Moines Public Library must obtain it from the Library Director, and only from the Library Director. If such permission is granted, it will be on library letterhead with the Library Director's signature on it. Furthermore, it may be limited to a certain date and time, and it may, for example, require the sex offender to be under the direct supervision of a law enforcement officer.

If library staff believes that a sex offender is using the library, a staff member should call the police and inform them of the situation. Library staff should not confront the individual directly. Library staff should not attempt to become familiar with all the sex offenders in the area by utilizing on-line registries, or to enter any information pertaining to sex offenders into the library's patron database. Mistakenly identifying and/or accusing someone could lead to serious problems.

If a patron approaches a library staff member and reports another library user as a sex offender, the staff member should ask the patron to contact the police department directly. If the person refuses to do so, the staff member should turn the matter over to the Library Director or to the most senior member of the staff present at that time who will relay the information obtained from the individual reporting the alleged sex offender to the police to be properly investigated.

Sex offenders that are prevented from being at the library or on its grounds are still eligible for library services. In this situation, a sex offender would need to be issued a library card through the mail and would then be able to use the card to access the library's online resources and/or have someone borrow materials for him/her. The library will not provide individuals to deliver or pick up these materials.

Prior to the enactment of this law, these individuals could use public libraries just like any other patron. With this law our libraries may be safer places, but library employees should not take this for granted.

Note: these are administrative guidelines. This is not a Library Board policy.