

SEX OFFENDER REGISTRY

Footnotes

Applicability to persons convicted prior to July 1, 1995;
transition provisions; 95 Acts, ch 146, §17

692A.1 Definitions.

As used in this chapter and unless the context otherwise requires:

1. *"Aggravated offense"* means a conviction for any of the following offenses:
 - a. Sexual abuse in the first degree in violation of section 709.2.
 - b. Sexual abuse in the second degree in violation of section 709.3.
 - c. Sexual abuse in the third degree in violation of section 709.4, subsection 1.
 - d. Lascivious acts with a child in violation of section 709.8, subsection 1.
 - e. Assault with intent to commit sexual abuse in violation of section 709.11.
 - f. Burglary in the first degree in violation of section 713.3, subsection 1, paragraph "d".
 - g. Kidnapping, if sexual abuse as defined in section 709.1 is committed during the offense.
 - h. Murder, if sexual abuse as defined in section 709.1 is committed during the offense.
 - i. Criminal transmission of human immunodeficiency virus in violation of section 709C.1, subsection 1, paragraph "a".
2. *"Child care facility"* means as defined in section 237A.1.
3. *"Convicted"* or *"conviction"* means a person who is found guilty of, pleads guilty to, or is sentenced or adjudicated delinquent for an act which is an indictable offense in this state or in another jurisdiction, including, but not limited to, a juvenile who has been adjudicated delinquent, but whose juvenile court records have been sealed under section 232.150, and a person who has received a deferred sentence or a deferred judgment or has been acquitted by reason of insanity. *"Convicted"* or *"conviction"* does not mean a plea, sentence, adjudication, deferral of sentence or judgment which has been reversed or otherwise set aside.
4. *"Criminal or juvenile justice agency"* means an agency or department of any level of government or an entity wholly owned, financed, or controlled by one or more such agencies or departments which performs as its principal function the apprehension, prosecution, adjudication, incarceration, or rehabilitation of criminal or juvenile offenders.
5. *"Criminal offense against a minor"* means any of the following criminal offenses or conduct:
 - a. Kidnapping of a minor, except for the kidnapping of a minor in the third degree committed by a parent.
 - b. False imprisonment of a minor, except if committed by a parent.
 - c. Any indictable offense involving sexual conduct directed toward a minor.

- d. Solicitation of a minor to engage in an illegal sex act.
 - e. Use of a minor in a sexual performance.
 - f. Solicitation of a minor to practice prostitution.
 - g. Any indictable offense against a minor involving sexual contact with the minor.
 - h. An attempt to commit an offense enumerated in this subsection.
 - i. Incest committed against a minor.
 - j. Dissemination and exhibition of obscene material to minors in violation of section 728.2.
 - k. Admitting minors to premises where obscene material is exhibited in violation of section 728.3.
 - l. Stalking in violation of section 708.11, subsection 3, paragraph "b", subparagraph (3), if the fact-finder determines by clear and convincing evidence that the offense was sexually motivated.
 - m. Sexual exploitation of a minor in violation of section 728.12.
 - n. Enticing away a minor in violation of section 710.10, subsection 1.
 - o. An indictable offense committed in another jurisdiction which would constitute an indictable offense under paragraphs "a" through "n".
6. *"Department"* means the department of public safety.
7. *"Other relevant offense"* means any of the following offenses:
- a. Telephone dissemination of obscene materials in violation of section 728.15.
 - b. Rental or sale of hard-core pornography in violation of section 728.4.
 - c. Indecent exposure in violation of section 709.9.
 - d. Incest committed against a dependent adult as defined in section 235B.2 in violation of section 726.2.
 - e. A criminal offense committed in another jurisdiction which would constitute an indictable offense under paragraphs "a" through "d" if committed in this state.
8. *"Residence"* means the place where a person sleeps, which may include more than one location, and may be mobile or transitory, including a shelter or group home.
9. *"Sexually violent offense"* means any of the following indictable offenses:
- a. Sexual abuse as defined under section 709.1.
 - b. Assault with intent to commit sexual abuse in violation of section 709.11.
 - c. Sexual misconduct with offenders in violation of section 709.16.

d. Any of the following offenses, if the offense involves sexual abuse or attempted sexual abuse: murder, attempted murder, kidnapping, burglary, or manslaughter.

e. A criminal offense committed in another jurisdiction which would constitute an indictable offense under paragraphs "a" through "d" if committed in this state.

10. "*Sexual exploitation*" means sexual exploitation by a counselor, therapist, or school employee under section 709.15.

11. "*Sexually violent predator*" means a person who has been convicted of an offense under the laws of this state or of another state which would qualify the person as a sexually violent predator under the federal Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14071(a)(3)(B), (C), (D), and (E).

95 Acts, ch 146, §1; 96 Acts, ch 1034, § 58; 96 Acts, ch 1132, § 13; 97 Acts, ch 33, §13; 98 Acts, ch 1169, §15; 99 Acts, ch 23, §13, 5; 99 Acts, ch 112, §2, 3; 2001 Acts, ch 17, §1, 2; 2001 Acts, ch 73, §1, 2; 2002 Acts, ch 1119, § 102; 2002 Acts, ch 1157, § 1; 2003 Acts, ch 180, §63; 2004 Acts, ch 1064, §1; 2005 Acts, ch 158, §21

692A.2 Persons required to register.

1. A person who has been convicted of a criminal offense against a minor, an aggravated offense, sexual exploitation, an other relevant offense, or a sexually violent offense in this state or in another state, or in a federal, military, tribal, or foreign court, or a person required to register in another state under the state's sex offender registry, shall register as provided in this chapter. A person required to register under this chapter shall, upon a first conviction, register for a period of ten years commencing as follows:

a. From the date of placement on probation.

b. From the date of release on parole or work release.

c. From the date of release as a juvenile from foster care or residential treatment.

d. From the date of any other release from custody.

2. If a person is required to register for a period of ten years under subsection 1 and the period under subsection 1 has expired, the person shall be required to remain on the registry if the person has been sentenced to a special sentence as required under section 903B.1 or 903B.2, for a period equal to the term of the special sentence.

3. If a person is placed on probation, parole, or work release and the probation, parole, or work release is revoked, the ten years shall commence anew upon release from custody. If the person who is required to register under this chapter is incarcerated for a crime which does not require registration under this chapter, the period of registration is tolled until the person is released from incarceration for that crime.

4. If a person violates any of the requirements of section 692A.4, the person shall register for an additional ten years beginning from the date the first registration period ends as calculated under subsection 1 or from the date the special sentence ends under subsection 2 if the person received a special sentence, whichever is longer.

5. A person who is required to register under this chapter shall, upon a second or subsequent conviction that requires a second registration, or upon conviction of an aggravated offense, or who has previously been convicted of one or more offenses that would have required registration under this chapter, register for the rest of the person's life.

6. A person is not required to register while incarcerated, in foster care, or in a residential treatment program. A person who is convicted, as defined in section 692A.1, of a criminal offense against a minor, sexual exploitation, a sexually violent offense, or an other relevant offense as a result of adjudication of delinquency in juvenile court shall be required to register as required in this chapter unless the juvenile court finds that the person should not be required to register under this chapter. If a juvenile is required to register and the court later modifies the order regarding the requirement to register, the court shall immediately notify the department. Convictions of more than one offense which require registration under this chapter but which are prosecuted within a single indictment shall be considered as a single offense for purposes of registration.

7. A person who has been convicted of an offense under the laws of this state or of another state which would qualify the person as a sexually violent predator shall register as provided in this chapter for life.

95 Acts, ch 146, §2; 96 Acts, ch 1134, § 7; 98 Acts, ch 1169, §6; 99 Acts, ch 96, §50; 99 Acts, ch 112, §46; 2005 Acts, ch 158, §22

692A.2A Residency restrictions child care facilities and schools.

1. For purposes of this section, "*person*" means a person who has committed a criminal offense against a minor, or an aggravated offense, sexually violent offense, or other relevant offense that involved a minor.

2. A person shall not reside within two thousand feet of the real property comprising a public or nonpublic elementary or secondary school or a child care facility.

3. A person who resides within two thousand feet of the real property comprising a public or nonpublic elementary or secondary school, or a child care facility, commits an aggravated misdemeanor.

4. A person residing within two thousand feet of the real property comprising a public or nonpublic elementary or secondary school or a child care facility does not commit a violation of this section if any of the following apply:

a. The person is required to serve a sentence at a jail, prison, juvenile facility, or other correctional institution or facility.

b. The person is subject to an order of commitment under chapter 229A.

c. The person has established a residence prior to July 1, 2002, or a school or child care facility is newly located on or after July 1, 2002.

d. The person is a minor or a ward under a guardianship.

2002 Acts, ch 1157, §3

692A.3 Registration process.

1. A person required to register under this chapter shall register with the sheriff of the county of the person's residence within five days of establishment of residence in this state or within five days of any conviction for which the person is not incarcerated, a release from custody, or placement on probation, parole, or work release. A sheriff shall accept the registration of a nonresident of the county if the person required to register is a full-time or part-time student or is employed on a full-time or part-time basis in the county.

2. A person required to register under this chapter shall, within five days of changing residence within a county in this state or within five days of a change in the person's name as a result of marriage, dissolution of marriage, or a legal name change, notify the sheriff of the county in which the person is registered of the

change of address, name, and any changes in the person's telephone number in writing on a form provided by the sheriff. The sheriff shall send a copy of the change of information to the department within three working days of receipt of notice of the change. The sex offender registry shall maintain and make available information from the registry cross-referenced by name at the time of conviction and by name subsequent to any change.

3. A person required to register under this chapter shall register with the sheriff of a county in which residence has been newly established and notify the sheriff of the county in which the person was registered, within five days of changing residence to a location outside the county in which the person was registered. Registration shall be in writing on a form provided by the sheriff and shall include the person's change of address and any changes to the person's telephone number or name. The sheriff shall send a copy of the change of information to the department within three working days of receipt of notice of the change.

4. A person required to register under this chapter shall notify the sheriff of the county in which the person is registered, within five days of changing residence to a location outside this state, of the new residence address and any changes in telephone number or name. The sheriff shall send a copy of the change to the department within three working days of receipt of notice of the change. The person must register with the registering agency of the other state within five days of changing residency, if persons are required to register under the laws of the other state. The department shall notify the registering agency in the other state of the registrant's new address, telephone number, or name.

5. The collection of information by a court or releasing agency under section 692A.5 shall serve as the person's initial registration for purposes of this section. The court or releasing agency shall forward a copy of the registration to the department within three working days of completion of registration.

95 Acts, ch 146, §3; 98 Acts, ch 1169, §7; 99 Acts, ch 112, §7, 8; 2000 Acts, ch 1044, §1

692A.3A Additional registration requirements institutions of higher education.

1. *Registration in county other than county of residence.* In addition to the registration requirements in section 692A.3, a person required to register under this chapter, who is a full-time or part-time student or is employed or engaged in a vocation on a full-time or part-time basis at an institution of higher education in a county other than the county of residence, shall register with the sheriff of the county in which the institution is located, and provide the sheriff with the name of the institution. The person must register within five days of becoming a student, being employed, or engaging in a vocation at the institution.

2. *Registration in a county of residence.* In addition to the registration requirements in section 692A.3, a person required to register under this chapter, who is a full-time or part-time student or is employed or engaged in a vocation on a full-time or part-time basis at an institution of higher education in the county of residence, shall notify the sheriff of the name of the institution. The person must notify the sheriff within five days of becoming a student, being employed, or engaging in a vocation at the institution.

3. *Change in status.* A person required to register under this chapter, within five days of the person's change in status as a student, or in employment or vocation, shall notify the sheriff of the county in which the information was provided of the changes. The sheriff shall send a copy of the information regarding the change to the department within three working days of receipt of the notice of the change.

2002 Acts, ch 1020, §1

692A.4 Verification of address and taking of photograph.

1. The address of a person required to register under this chapter shall be verified annually as follows:

a. On a date which falls within the month in which the person was initially required to register, the department shall mail a verification form to the last reported address of the person. Verification forms shall not be forwarded to the person who is required to register under this chapter if the person no longer resides at the address, but shall be returned to the department.

b. The person shall complete and mail the verification to the department within ten days of receipt of the form.

c. The verification form shall be signed by the person, and state the address at which the person resides. If the person is in the process of changing residences, the person shall state that fact as well as the old and new addresses or places of residence.

2. Verification of address for a person who has been convicted of an offense under the laws of this state or of another state which would qualify the person as a sexually violent predator shall be accomplished in the same manner as in subsection 1, except that the verification shall be done every three months at times established by the department.

3. A photograph of a person required to register under this chapter shall be updated, at a minimum, annually. When the department mails the address verification notice in subsection 1, the department shall also enclose a form informing the person to annually submit to being photographed by the sheriff of the county of the person's residence within ten days of receipt of the address verification form. The sheriff shall send the updated photograph to the department within ten days of the photograph being taken and the department shall post the updated photograph on the sex offender registry's web page. The sheriff may require the person to submit to being photographed by the sheriff more than once a year by mailing another notice informing the person to submit to being photographed.

95 Acts, ch 146, §4; 98 Acts, ch 1169, §8; 2005 Acts, ch 158, §23

692A.4A Electronic monitoring.

A person required to register under this chapter who is placed on probation, parole, work release, special sentence, or any other type of conditional release, may be supervised by an electronic tracking and monitoring system in addition to any other conditions of supervision. However, if the person committed a criminal offense against a minor, or an aggravated offense, sexually violent offense, or other relevant offense that involved a minor, the person shall be supervised for a period of at least five years by an electronic tracking and monitoring system in addition to any other conditions of release.

2005 Acts, ch 158, §24; 2005 Acts, ch 179, §77

692A.5 Duty to facilitate registration.

1. When a person who is required to register under this chapter is released from confinement from a jail, prison, juvenile facility, or other correctional institution or facility, or when such a person is convicted but not incarcerated, the sheriff, warden, or superintendent or, in the case of release from foster care or residential treatment or conviction without incarceration, the court shall do the following prior to release or sentencing of the convicted person:

a. Obtain fingerprints, the social security number, and a photograph of the person if fingerprints and a photograph and the social security number have not already been obtained in connection with the offense that triggers registration. A current photograph shall also be required. Additional information for a person required to register as a sexually violent predator shall include, but not be limited to, other identifying factors, anticipated future places of residence, offense history, and documentation of any treatment received by the person for a mental abnormality or personality disorder.

b. Inform the person of the duty to register.

c. Inform the person that, within five days of changing residence, registration with the sheriff in the county in which residence is established is required, if the residence is within the state.

d. Inform the person that if the person moves the person's residence to another state, the person must give the person's new address to the sheriff's department in the county of the person's old residence within five days of changing addresses, and that, if the other state has a registration requirement, the person is also required to register in the new state of residence, not later than five days after establishing residence in the other state, and to verify the address at least annually.

e. Require the person to read and sign a form stating that the duty of the person to register under this chapter has been explained. If the person cannot read, is unable to write, or refuses to cooperate, the duty and the form shall be explained orally and a written record maintained by the person explaining the duty and the form.

f. Inform the person that if the person is a nonresident of a state where the person is a full-time or part-time student or is employed on a full-time or part-time basis, the person must register with the sheriff of the county where the person is employed or attending school. Full-time or part-time means a period of time exceeding fourteen days or an aggregate period of time exceeding thirty days during any calendar year pursuant to 42 U.S.C. § 14071(a)(3)(F).

g. Inform the person that if the person is a resident or a nonresident of a county where the person is a full-time or part-time student, or employed or engaged in a vocation on a full-time or part-time basis at an institution of higher education, the person must register in the county where the institution is located and notify the sheriff of the name of the institution, within five days of becoming a student, being employed, or engaging in a vocation at the institution. Inform the person that if the person changes status as a student, or in employment or vocation, the person shall notify the sheriff of the county in which the information was provided of the change within five days of the change.

h. Inform the person, if the person's residency is restricted under section 692A.2A, that the person shall not reside within two thousand feet of the real property comprising a public or nonpublic elementary or secondary school, or a child care facility.

i. Inform the person that the person must, at a minimum, annually submit to being photographed by the sheriff of the county of the person's residence.

2. When a person who is required to register under this chapter is released from confinement from a jail, prison, juvenile facility, or other correctional institution or facility, or when such a person is convicted but not incarcerated, the sheriff, warden, or superintendent or, in the case of release from foster care or residential treatment or conviction without incarceration, the court shall verify that the person has completed initial registration forms, and accept the forms on behalf of the sheriff of the county of registration. The sheriff, warden, superintendent, or the court shall send the initial registration information to the department within three working days of completion of the registration. Probation, parole, work release, or any other form of release after conviction shall not be granted unless the person has registered as required under this chapter.

If the offender refuses to register, the sheriff, warden, or superintendent shall immediately notify a prosecuting attorney in the county in which the offender was convicted or, if the offender no longer resides in that county, in the county in which the offender resides of the refusal to register. The prosecuting attorney shall bring a contempt of court action against the offender in the county in which the offender was convicted or, if the offender no longer resides in that county, in the county in which the offender resides. An offender who refuses to register shall be held in contempt and may be incarcerated following the entry of judgment by the court on the contempt action until the offender complies with the registration requirements.

3. The sheriff, warden, or superintendent or, in the case the person is placed on probation, the court shall forward one copy of the registration information to the department and to the sheriff of the county in which the person is to reside within three days after completion of the registration.

4. The court may order an appropriate law enforcement agency or the county attorney to assist the court in performing the requirements of subsection 1.

95 Acts, ch 146, §5; 96 Acts, ch 1132, § 4; 96 Acts, ch 1134, § 8, 9; 97 Acts, ch 128, §4; 98 Acts, ch 1169, §9, 10; 99 Acts, ch 112, §9; 2000 Acts, ch 1044, §2; 2002 Acts, ch 1020, §2; 2002 Acts, ch 1157, §2; 2005 Acts, ch 158, §25

692A.6 Registration fees and civil penalty for offenders.

1. At the time of filing a registration statement, or a change of registration, with the sheriff of the county of residence, a person who is required to register under this chapter shall pay a fee of ten dollars to the sheriff. If, at the time of registration, the person who is required to register is unable to pay the fee, the sheriff may allow the person time to pay the fee, permit the payment of the fee in installments, or may waive payment of the fee. Fees paid to the sheriff shall be used to defray the costs of duties related to the registration of persons under this chapter.

2. In addition to any other penalty, at the time of conviction for a public offense committed on or after July 1, 1995, which requires a person to register under this chapter, the person shall be assessed a civil penalty of two hundred dollars, to be payable in the same manner as a fine. The clerk of the district court shall transmit money collected under this subsection each month to the treasurer of state, who shall deposit ten percent of the moneys transmitted by the clerk into the court technology and modernization fund, for use for the purposes established in section 602.8108, subsection 7, and deposit the balance of the moneys transmitted by the clerk into the sex offender registry fund established under section 692A.11.

3. The fees required by this section shall not be assessed against a person who has been acquitted by reason of insanity of the offense which requires registration under this chapter.

95 Acts, ch 146, §6

692A.7 Failure to comply penalty.

1. A person required to register under this chapter who violates any requirements specified under sections 692A.2, 692A.3, and 692A.4 commits an aggravated misdemeanor for a first offense and a class "D" felony for a second or subsequent offense. A person required to register under this chapter who violates any requirements specified under section 692A.3A commits a serious misdemeanor for a first offense and a class "D" felony for a second or subsequent offense. However, a person required to register under this chapter who violates any of the requirements specified under section 692A.2, 692A.3, 692A.3A, or 692A.4 and who commits a criminal offense against a minor, sexual exploitation, an other relevant offense, or a sexually violent offense is guilty of a class "C" felony. Any fine imposed for a second or subsequent violation shall not be suspended. The court shall not defer judgment or sentence for any violation of any requirements specified under section 692A.2, 692A.3, 692A.3A, or 692A.4. A violation by a person, who is on probation, parole, work release, or any other form of release, of any requirements specified under section 692A.2, 692A.3, 692A.3A, or 692A.4 shall result in the automatic revocation of the person's probation, parole, or work release. For purposes of this subsection, a violation occurs when a person knows or reasonably should know of the duty to fulfill a requirement specified in the offense charged.

2. In determining if a violation is a second or subsequent offense, a conviction for a violation of this section which occurred more than ten years prior to the date of the violation charged shall not be considered in determining that the violation charged is a second, third, or subsequent offense. Violations in any other states

under sex offender registry provisions that are substantially similar to those contained in this section shall be counted as previous offenses. The court shall judicially notice the statutes of other states which are substantially equivalent to this section.

95 Acts, ch 146, §7; 98 Acts, ch 1169, §11; 2000 Acts, ch 1044, §3, 4; 2002 Acts, ch 1020, §3; 2002 Acts, ch 1119, §192

692A.8 Determination of requirement to register.

1. A person who is registered under this chapter may request that the department determine whether the offense for which the person has been convicted requires the person to register under this chapter or whether the period of time during which the person is obligated to register under this chapter has expired.
2. Application for determination shall be made on forms provided by the department and accompanied by copies of sentencing or adjudicatory orders with respect to each offense for which the person asks that a determination be made.
3. The department shall, within ninety days of the filing of the request, determine whether the person is required to register under this chapter.

95 Acts, ch 146, §8

692A.9 Registration forms.

Registration forms shall be prepared by the department and shall include the registrant's name at the time of conviction and any change of name as a result of marriage, dissolution of marriage, or legal name change, the registrant's social security number, date of birth, the registrant's current address, and, if applicable, the registrant's telephone number. The forms may provide for the reporting of additional relevant information such as, but not limited to, fingerprints and photographs but shall not include information identifying the victim of the crime of which the registrant was convicted. Additional information for persons required to register as a sexually violent predator shall include, but not be limited to, other identifying factors, anticipated future places of residence, offense history, and documentation of any treatment received by the person for mental abnormality or personality disorder. Copies of blank forms shall be available upon request to any person from the sheriff.

95 Acts, ch 146, §9; 98 Acts, ch 1169, §12

692A.10 Department duties registry.

The department shall perform all of the following duties:

1. Develop and disseminate standard forms for use in registering of, verifying addresses of, and verifying understanding of registration requirements by persons required to register under this chapter. Forms used to verify addresses of persons required to register under this chapter shall contain a warning against forwarding of the forms and of the requirement to return the forms if the person to whom the form is directed no longer resides at the address listed on the form or the mailing.
2. Maintain a central registry of information collected from persons required to register under this chapter, which shall be known as the sex offender registry.
3. In consultation with the attorney general, adopt rules under chapter 17A which list specific offenses under present and former law which constitute criminal offenses against a minor under this chapter.

4. Adopt rules under chapter 17A, as necessary, to ensure compliance with registration and verification requirements of this chapter, to provide guidelines for persons required to assist in obtaining registry information, and to provide a procedure for the dissemination of information contained in the registry. The procedure for the dissemination of information shall include, but not be limited to, practical guidelines for use by criminal or juvenile justice agencies in determining when public release of information contained in the registry is appropriate and a requirement that if a member of the general public requests information regarding a specific individual in the manner provided in section 692A.13 the information shall be released. The department, in developing the procedure, shall consult with associations which represent the interests of law enforcement officers. Rules adopted shall also include a procedure for removal of information from the registry upon the reversal or setting aside of a conviction of a person who is registered under this chapter.

5. Submit sex offender registry data to the federal bureau of investigation for entry of the data into the national sex offender registry.

95 Acts, ch 146, §10; 96 Acts, ch 1034, § 59; 99 Acts, ch 112, §10, 11

692A.11 Sex offender registry fund.

A sex offender registry fund is established as a separate fund within the state treasury under the control of the department. The fund shall consist of moneys received as a result of the imposition of the penalty imposed under section 692A.6 and other funds allocated for purposes of establishing and maintaining the sex offender registry, conducting research and analysis related to sex crimes and offenders, and to perform other duties required under this chapter. Notwithstanding section 8.33, unencumbered or unobligated moneys and any interest remaining in the fund on June 30 of any fiscal year shall not revert to the general fund of the state, but shall remain available for expenditure in subsequent fiscal years.

95 Acts, ch 146, §11

692A.12 Duties of the sheriff.

The sheriff of each county shall comply with the requirements of this chapter and rules adopted by the department pursuant to this chapter.

95 Acts, ch 146, §12

692A.13 Availability of records.

1. The department may provide relevant information from the sex offender registry to the following:

a. A criminal or juvenile justice agency, an agency of the state, any sex offender registry of another state, or the federal government.

b. The general public through the sex offender registry's web page, except that relevant information about an offender who was under twenty years of age at the time the offender committed a violation of section 709.4, subsection 2, paragraph "c", subparagraph (4), shall not be disclosed on the web page.

c. The single contact repository established pursuant to section 135C.33, in accordance with the rules adopted by the department.

2. A criminal or juvenile justice agency may provide relevant information from the sex offender registry to the following:

a. A criminal or juvenile justice agency, an agency of the state, or any sex offender registry of another state,

or the federal government.

b. The general public, including public and private agencies, organizations, public places, child care facilities, religious and youth organizations, neighbors, neighborhood associations, community meetings, and employers. Registry information may be distributed to the public through printed materials, visual or audio press releases, radio communications, or through a criminal or juvenile justice agency's web page.

3. When a person required to register under this chapter moves into a school district or moves within a school district, the county sheriff of the county of the person's new residence shall provide relevant information from the sex offender registry to the administrative office of the school district in which the person required to register resides, and shall also provide relevant information to any private school near the person's residence.

4. Any member of the public may contact a county sheriff's office or police department to request relevant information from the registry regarding a specific person required to register under this chapter. A person making a request for relevant information may make the request by telephone, in writing, or in person, and the request shall include the name of the person and at least one of the following identifiers pertaining to the person about whom the information is sought:

a. The date of birth of the person.

b. The social security number of the person.

c. The address of the person.

A county sheriff or police department shall not charge a fee relating to a request for relevant information.

5. A county sheriff shall also provide to any person upon request access to a list of all registrants in that county. However, records of a person protected under 18 U.S.C. § 3521 shall not be disclosed.

6. Relevant information provided to the general public may include the offender's name, address, a photograph, the results of any risk assessment, locations frequented by the offender, relevant criminal history information from the registry, and any other relevant information. Relevant information provided to the public shall not include the identity of any victim. For purposes of inclusion in the sex offender registry's web page or dissemination to the general public, a conviction for incest shall be disclosed as either a violation of section 709.4 or 709.8.

7. Notwithstanding sections 232.147 through 232.151, records concerning convictions which are committed by a minor may be released in the same manner as records of convictions of adults.

8. Sex offender registry records are confidential records pursuant to section 22.7 and shall only be released as provided in this section.

95 Acts, ch 146, §13; 96 Acts, ch 1034, § 60; 96 Acts, ch 1132, § 5; 98 Acts, ch 1169, §1315; 98 Acts, ch 1223, §31; 99 Acts, ch 23, §4, 5; 99 Acts, ch 112, §1218; 99 Acts, ch 192, §32; 2000 Acts, ch 1058, §54; 2002 Acts, ch 1119, §193; 2003 Acts, ch 123, §3; 2003 Acts, ch 179, §76; 2004 Acts, ch 1175, §464, 467, 468; 2005 Acts, ch 158, §2629

2004 amendment to this section takes effect May 17, 2004, and applies retroactively to all offenders on registry; 2004 Acts, ch 1175, §467, 468

692A.13A Assessment of risk.

1. The department of corrections, the department of human services, and the department of public safety

shall, in consultation with one another, develop methods and procedures for the assessment of the risk to reoffend for persons newly required to register under this chapter on or after July 1, 2005, who have committed a criminal offense against a minor, or an aggravated offense, sexually violent offense, or other relevant offense that involved a minor. The department of corrections, in consultation with the department of human services, the department of public safety, and the attorney general, shall adopt rules relating to assessment procedures. The assessment procedures shall include procedures for the sharing of information between the department of corrections, department of human services, the juvenile court, and the division of criminal investigation of the department of public safety, as well as the communication of the results of the risk assessment to criminal and juvenile justice agencies. The assignment of responsibility for the assessment of risk shall be as follows:

- a. The department of corrections or a judicial district department of correctional services shall perform the assessment of risk for persons who are incarcerated in institutions under the control of the director of the department of corrections, persons who are under the supervision of the department of corrections or a judicial district department of correctional services, and persons who are under the supervision or control of the department of corrections or a judicial district department of correctional services through an interstate compact.
- b. The department of human services shall perform the assessment of risk for persons who are confined in institutions under the control of the director of human services, persons who are under the supervision of the department of human services, and persons who are under the supervision or control of the department of human services through an interstate compact.
- c. The division of criminal investigation of the department of public safety shall perform the assessment of risk for persons who have moved to Iowa but are not under the supervision of the department of corrections, a judicial district department of correctional services, or the department of human services; federal parolees or probationers; persons who have been released from a county jail but are not under the supervision of the department of corrections, a judicial district department of correctional services, a juvenile court officer of the judicial branch, or the department of human services; and persons who are convicted and released by the courts and are not incarcerated or placed under supervision pursuant to the court's sentencing order. Assessments of persons who have moved to Iowa and persons on federal parole or probation shall be performed on an expedited basis if the person was classified as a person with a high degree of likelihood of reoffending by the other jurisdiction or the federal government.
- d. A juvenile court officer shall perform the assessment of risk for a juvenile who is adjudicated delinquent for a criminal offense listed in section 692A.1 and who is under the juvenile court officer's supervision.

2. The department of public safety shall be responsible for disclosing the assessment of risk information to a criminal or juvenile justice agency for law enforcement, prosecution, or for public notification purposes. The results of the assessment of risk shall be disclosed as other relevant information is disclosed under section 692A.13.

2005 Acts, ch 158, §30; 2005 Acts, ch 179, §78

692A.14 Cooperation with registration.

Each agency of state and local government which possesses information relevant to requirements that a person register under this chapter shall provide that information to the court or the department upon request. All confidential records provided under this section shall remain confidential, unless otherwise ordered by a court, by the lawful custodian of the records, or by another person duly authorized to release such information.

95 Acts, ch 146, §14

692A.15 Immunity for good faith conduct.

Criminal or juvenile justice agencies, officials, and employees of criminal or juvenile justice agencies and state agencies and their employees shall be immune from liability for acts or omissions arising from a good faith effort to comply with this chapter.

95 Acts, ch 146, §15; 96 Acts, ch 1034, § 61

692A.16 Applicability of chapter.

1. The registration requirements of this chapter shall apply to persons convicted of a criminal offense against a minor, sexual exploitation, an other relevant offense, or a sexually violent offense prior to July 1, 1995, who are released on or after July 1, 1995, who are participating in a work release or institutional work release program on or after July 1, 1995, or who are under parole or probation supervision by a judicial district department of correctional services on or after July 1, 1995.

2. Persons required to register under subsection 1 shall register for a period of ten years commencing with the later of either July 1, 1995, or the date of the person's release from confinement, release on work release or institutional work release, or release on parole or probation. For persons released from confinement, registration shall be initiated by the warden, sheriff, or superintendent in charge of the place of confinement in the same manner as provided in section 692A.5. For persons who are under parole or probation supervision, the person's parole or probation officer shall inform the person of the person's duty to register and shall obtain the registration information from the person as required under section 692A.5.

98 Acts, ch 1169, §16; 99 Acts, ch 96, §51