

CHAPTER 709A

CONTRIBUTING TO JUVENILE DELINQUENCY

Referred to in [§331.307](#), [364.22](#), [701.1](#)This chapter not enacted as a part of this title;
transferred from chapter 233 in Code 1993

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709A.1 Contributing to delinquency.

It shall be unlawful:

1. To encourage any child under eighteen years of age to commit any act of delinquency defined in [chapter 232](#).
2. To knowingly send, cause to be sent, or induce to go, any child under the age of eighteen to any of the following:
 - a. A brothel or other premises used for the purposes of prostitution, with the intent that the child engage the services of a prostitute.
 - b. An unlicensed premises where alcoholic liquor, wine, or beer is unlawfully sold or kept for sale.
 - c. Any premises the use of which constitutes a violation of [chapter 717A](#), or [section 725.5](#) or [725.10](#).
3. To knowingly encourage, contribute, or in any manner cause such child to violate any law of this state, or any ordinance of any city.
4. To knowingly permit, encourage, or cause such child to be guilty of any vicious or immoral conduct.
5. For a parent willfully to fail to support the parent's child under eighteen years of age whom the parent has a legal obligation to support.

[C24, 27, 31, 35, 39, [§3658](#); C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, [§233.1](#)][86 Acts, ch 1046, §1](#)C93, [§709A.1](#)[2004 Acts, ch 1056, §2, 10](#); [2004 Acts, ch 1175, §389](#)Referred to in [§709A.2](#)**709A.2 Penalty — not a bar.**

A violation of [section 709A.1](#) is a simple misdemeanor. A conviction does not bar a prosecution of the convicted person for an indictable offense when the acts which caused or contributed to the delinquency or dependency of the child are indictable.

[C24, 27, 31, 35, 39, [§3659](#); C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, [§233.2](#)][84 Acts, ch 1219, §11](#)C93, [§709A.2](#)See [§709A.5](#), [725.3](#), [903.1](#), chapters 726, 728**709A.3 Suspension of sentence.**

Upon said conviction being had, the court may, for a period not exceeding two years, suspend sentence under such conditions as to good behavior as it may prescribe. Should said conditions be fulfilled, the court may at any time enter an order setting said conviction aside and wholly releasing the defendant therefrom. Should said condition be not fulfilled to the satisfaction of the court, an order of sentence may at any time be entered which shall be effective from the date thereof.

[C24, 27, 31, 35, 39, [§3660](#); C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, [§233.3](#)]C93, [§709A.3](#)

709A.4 Preliminary examination.

If, in proceedings in juvenile court, it appears probable that an indictable offense has been committed and that the commission thereof caused, or contributed to, the delinquency or dependency of such a child, said court may order the issuance of a warrant for the arrest of such suspected person, and on the appearance of such person said court may proceed to hold a preliminary examination, and in so doing shall exercise all the powers of a committing magistrate.

[C24, 27, 31, 35, 39, §3661; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §233.4]
C93, §709A.4

709A.5 Interpretative clause.

For the purposes of [this chapter](#) the word “*dependency*” shall mean all the conditions as enumerated in [section 232.2, subsection 6](#).

[C31, 35, §3661-c1; C39, §3661.001; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §233.5]
C93, §709A.5

709A.6 Using a juvenile to commit certain offenses.

1. As used in [this section](#), unless the context otherwise requires, “*profit*” means a monetary gain, monetary advantage, or monetary benefit.

2. It is unlawful for a person to act with, enter into a common scheme or design with, conspire with, recruit or use a person under the age of eighteen, through threats, monetary payment, or other means, to commit an indictable offense for the profit of the person acting with, entering into the common scheme or design with, conspiring with, recruiting or using the juvenile. A person who violates [this section](#) commits a class “C” felony.

[92 Acts, ch 1231, §34](#); [95 Acts, ch 191, §50](#)