

709.16 Sexual misconduct with offenders and juveniles.

1. Any peace officer, or an officer, employee, contractor, vendor, volunteer, or agent of the department of corrections, or an officer, employee, or agent of a judicial district department of correctional services, who engages in a sex act with an individual committed to the custody of the department of corrections or a judicial district department of correctional services commits an aggravated misdemeanor.

2. a. Any peace officer, or an officer, employee, contractor, vendor, volunteer, or agent of a juvenile placement facility who engages in a sex act with a juvenile placed at such facility commits an aggravated misdemeanor.

b. For purposes of [this subsection](#), a “juvenile placement facility” means any of the following:

- (1) A child foster care facility licensed under [section 237.4](#).
- (2) Institutions controlled by the department of health and human services listed in [section 218.1](#).
- (3) Juvenile detention and juvenile shelter care homes approved under [section 232.142](#).
- (4) Psychiatric medical institutions for children licensed under [chapter 135H](#).
- (5) Facilities for the treatment of persons with a substance use disorder as defined in [section 125.2](#).

3. Any peace officer, or an officer, employee, contractor, vendor, volunteer, or agent of a county who engages in a sex act with a prisoner incarcerated in a county jail commits an aggravated misdemeanor.

[91 Acts, ch 219, §21; 98 Acts, ch 1094, §1; 2013 Acts, ch 30, §204; 2013 Acts, ch 90, §185; 2015 Acts, ch 46, §1; 2023 Acts, ch 19, §1302](#)

Referred to in [§622.31B](#), [692A.101](#), [692A.102](#), [709.19](#), [802.2B](#)

Sentencing restrictions for forcible felonies and mandatory reporters of child abuse, see [§907.3](#)

Subsection 2, paragraph b, subparagraphs (2) and (5) amended