



Iowa Department of Human Services

Terry E. Branstad
Governor

Kim Reynolds
Lt. Governor

Charles M. Palmer
Director

MEMO

FROM: Sally Titus, Deputy Director
TO: General Assembly
DATE: January 6, 2017
RE: Allowing Access to a Registered Sex Offender

The attached proposal is to amend current provisions to Iowa Code section 232.68 to clarify what constitutes the child abuse definition for Allowing Access to a Registered Sex Offender.

Since the law was enacted in 2009, the intent was that the individual who is allowed access to the children be on the sex offender registry under chapter 692A in violation of section 726.6. However, within the past 2 years, appeal decisions have interpreted that the current language requires the individual who is allowed access to the children be on the sex offender registry as a result of a violation of section 726.6. This has resulted in founded incidents of a caretaker who is allowing access to a registered sex offender to be reversed upon appeal.

The request is to clarify the Code provision in order to uphold the Allows Access to a Registered Sex Offender abuse category. The goal is to provide greater protection to children and services for their families.

Cc: Wendy Rickman
Teresa A. McCall