

**CHAPTER 86****LIMITATIONS ON POLYGRAPH EXAMINATIONS IN SEXUAL ABUSE CASES  
S.F. 371**

**AN ACT** relating to prohibiting a polygraph examination of a victim of sexual abuse as a precondition to an investigation by a law enforcement agency.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. NEW SECTION. 709.17 POLYGRAPH EXAMINATIONS OF VICTIMS – LIMITATIONS.

A criminal or juvenile justice agency shall not require a person claiming to be a victim of sexual abuse or claiming to be a witness regarding the sexual abuse of another person to submit to a polygraph or similar examination as a precondition to the agency conducting an investigation into the matter. An agency wishing to perform a polygraph examination of a person claiming to be a victim or witness shall inform the person of the following:

1. That taking the polygraph examination is voluntary.
2. That the results of the examination are not admissible in court.
3. That the person's decision to submit or refuse a polygraph examination will not be the sole basis for a decision by the agency not to investigate the matter.

An agency which declines to investigate an alleged case of sexual abuse following a decision by a person claiming to be a victim not to submit to a polygraph examination shall provide to that person, in writing, the reasons why the agency did not pursue the investigation at the request of the person.

Approved April 26, 1995

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**CHAPTER 87****BAIL RESTRICTIONS FOR FELONIOUS CHILD ENDANGERMENT  
S.F. 142**

**†AN ACT** establishing felonious child endangerment as a nonbailable offense.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 811.1, subsections 1 and 2, Code 1995, are amended to read as follows:

1. A defendant awaiting judgment of conviction and sentencing following either a plea or verdict of guilty of a class "A" felony, murder, felonious assault, felonious child endangerment, sexual abuse in the second degree, sexual abuse in the third degree, kidnapping, robbery in the first degree, arson in the first degree, or burglary in the first degree, or any felony included in section 124.401, subsection 1, paragraph "a".

2. A defendant appealing a conviction of a class "A" felony, murder, felonious assault, felonious child endangerment, sexual abuse in the second degree, sexual abuse in the third degree, kidnapping, robbery in the first degree, arson in the first degree, or burglary in the first degree, or any felony included in section 124.401, subsection 1, paragraph "a".

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†Estimate of additional local revenue expenditures required by state mandate on file with the Secretary of State