

**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 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 substance-related disorders 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](#)

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

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