

Sex Offenders Frequently Asked Questions

How do I know if there is a sex offender living in my neighborhood?

- There is an online registry at www.iowasexoffenders.com that allows users to search for sex offenders by entering in their zip code or other identifying information. On or after July 1, 1995, an individual is required to register whom: 1) has been convicted or adjudicated of a criminal offense against a minor, sexual exploitation, or a sexually violent crime, 2) was on probation, parole, or work release status, or 3) was incarcerated on or after July 1, 1995. Registration does include individuals that have received a deferred sentence or deferred judgments and can include convictions from other jurisdictions such as other states and/or federal convictions. Only convictions after 1985 are on the registry, if they met the criteria when the law was passed.
- The information is provided from the Iowa Sex Offender Registry to the public pursuant to Iowa Code chapter 692A. The purpose of this information is to allow members of the public a means to protect themselves from individuals who have committed an offense that requires registration on the Sex Offender Registry. (Excerpt from the introduction to the registry.)
- Note that most sex offenders are not on the registry. Many sex offenders commit acts of sexual abuse for an average of 13 years before they are caught, if they are ever caught. Also, sexually aggressive offenses are sometimes plea-bargained down to an offense that does not meet the Sex Offender Registry criteria.
- The best way to protect your kids is to stay alert, know who your kids have contact and/or are spending time with, and teach your kids to come and tell you if ANYTHING or ANYONE makes them uncomfortable in ANY WAY.

How did the Sex Offender Registry come to be?

Jacob Wetterling



As part of the 1994 Violent Crime Control and Law Enforcement Act the United States Congress passed the Jacob Wetterling Crimes Against Children and Sexually Violent Offenders Registration Act, which bears the name of an 11-year old boy who was abducted at gunpoint and never seen again. The Act set forth guidelines for states to establish sex offender registry programs.

Megan's Law



In 1996 the Wetterling Act was amended by Megan's Law, which requires states to release relevant information about registered sex offenders to protect the public. This law bears the name of Megan Kanka, a seven year old girl who was sexually molested and murdered by a convicted sex offender after being invited into his home to play with his new puppy.

How do I keep my kids/grandkids/neighborhood kids safe?

- Educate kids on what is appropriate behavior by other kids and adults.
- Develop a safety plan with them. For example, “Always ask Mom before going anywhere past the sidewalk with anyone.”
- Identify safe places for your child to go if there is trouble.
- Teach your kids that if anyone makes them uneasy, talk to a trusted adult.

Can I get a sex offender out of my neighborhood?

- There is no legal way to force a sex offender from your neighborhood if he has not broken any laws. If they are just living in your neighborhood, he is not doing anything wrong. In some cases, it is likely that if we focus just on those people on the registry, we may be not be worrying about the right people.

If someone on the Registry, has engaged in pro-social behavior (e.g., working, going to church, maintaining contact with friends), and there is no evidence or complaints that he is engaging in unlawful behavior, (in other words, he is doing well), hassling him or taking negative action is counterproductive. Besides being unlawful, such attitudes and actions only increase his stress and interrupt the positive efforts he is making. Further, sex offenders are likely to use such occurrences as justification for “giving up” and acting out. As in any case, however, people must remain alert. There is no cure for sex offenders, only control. This does not mean, however, that citizens cannot inform their friends and children of the presence of sex offenders in their communities, only that there can be no direct actions against that individual by citizens.

What actions can I take? For example, can I post flyers warning others?)

“Your community law enforcement and county sheriff's office are aware that these subjects are in the community.

-- Any actions taken by you against these subjects, including vandalism of property, verbal or written threats of harm or physical assault against these subjects, their families or employers can result in your arrest and prosecution.

-- You must contact your police department or Sheriff's office immediately if you believe a crime is being, or will be, committed. If you have any questions regarding this matter, contact your local police department or county sheriff's office.”

-excerpted from the Iowa Sex Offender Registry-

- In the immediate aftermath of the Jetseta Gage rape/murder, Iowa legislators are debating a law that would give citizens the right to re-post posters of sex offenders from the registry.
- You may share information with family members, neighbors, friends, school personnel and others that you find on the Sex Offender Registry.

Is there a law saying that sex offenders need to stay away from places where there are kids?

- If the sex offender is on probation or parole, he/she is being monitored by the Department of Correctional Services (DCS). They are given some general guidelines and ones specific to their cases. (See below.)
- There is a law that states sex offenders cannot live within 2000 feet of a school, daycare center or any place where children congregate. This law is has been challenged and is currently being decided in the courts.

Problems with this legislation include: (1) few affordable residences meet the distance criteria, (2) in the Jetseta Gage murder case, the suspect lived in another town, and (3) you cannot legislate safety. In other words, "There are speed limits but that doesn't mean people don't speed." (Dudley Allison, Probation/Parole Officer III and former director of the Sex Offender Treatment Program at the Mt. Pleasant Correctional Facility).

What regulations are put on sex offenders after they are released from jail or prison?

- Sex offenders must register their address within five days of moving. Under the Iowa Code, "residence" is defined as "the place where a person sleeps, which may include more than one location, and may be mobile or transitory." Currently, they remain on the Iowa Sex Offender Registry for ten years unless they commit another sex crime. If they commit another crime, they are on the Registry for life.
- Further regulations depend on the offender, the specifics of his crime, and if he is on probation or parole. If he is not on probation or parole and has discharged his prison sentence, he will not be supervised upon release of prison. The only exception to this is if an offender is determined to be at a level of risk that qualifies him/her to be civilly committed until such a time that he/she is no longer a danger to society.
- For sex offenders on probation or parole, there is a wide range of restrictions, some are general and some tailored to the offender. General examples include (but are not limited to):
 1. I will obey all laws, whether they are Federal, State or City Ordinances. In addition, I will notify my probation/parole officer within 24 hours of any contact, of any sort, with law enforcement officials.

2. I will maintain personal contact and keep all scheduled appointments as directed by my probation/parole officer. I will notify my probation officer in advance if I cannot keep any appointment. I will submit a report of my activities monthly or as often as my probation/parole officer may require.
3. I will maintain suitable residence as approved by my probation/parole officer and provide a current address where I can be reached at all times. I understand and agree that my person, property, place of residence, vehicle, and personal effects may be searched at any time, with or without a search warrant or warrant of arrest, by any probation/parole officer or law enforcement officer having reasonable grounds to believe contraband is present. I further understand that a refusal to consent to a search constitutes a violation of this agreement. I will secure permission from my probation/parole officer before changing addresses and will notify my probation/parole officer within seventy-two hours of any change in telephone service.
4. I will not use or possess illegal drugs or drug paraphernalia.
5. I will completely abstain from the use of alcoholic beverages (this may vary if alcohol was not a factor in the sex offense(s)).

Other clauses include such things as securing and maintaining employment, submitting to tests, cooperate with treatment requirements, evaluations, and monitoring (e.g., polygraph for evaluation and monitoring), possible use of electronic monitoring, respectful behavior and proscribed behavior, paying restitution and fees, restrictions or prohibition of weapons in cases of felonies or aggravated misdemeanors and other factors. As stated previously, agreements may be tailored to include other relevant restrictions for any individual offender.

Do these regulations apply to the sex offender(s) in my neighborhood?

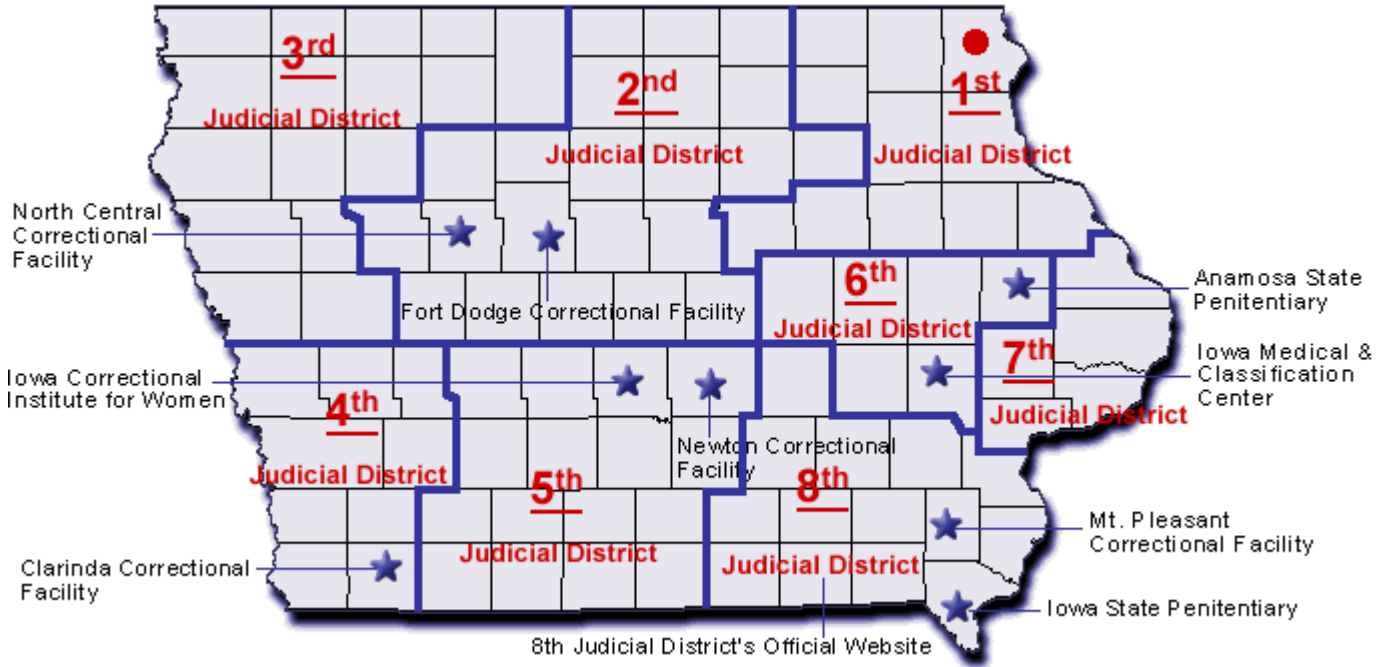
- No. Only sex offenders who are “still on paper” (supervision via probation or parole). Sex offenders who are “off paper” (e.g., have completed their supervision) are considered regular citizens unless they engage in unlawful activities again.

How do you find out what the restrictions are on a particular sex offender?

- Call the judicial district in which the offender resides. (For example, for information regarding particular offenders residing in Coralville, Iowa City, Cedar Rapids and surrounding areas, calls should go to the 6th Judicial District of the Department of Correctional Services The number for the 6th is (319) 625-2650 at Oakdale or 319-398-3675 in Cedar Rapids.) Probation/Parole Officers can ask questions and gather information but they are limited to sharing only information deemed public by Code. They can of course share generalities of supervision, ideologies, etc.

Institutions/Districts

The following information is taken from the Department of Corrections webpage. These are the judicial districts in Iowa that are responsible for the monitoring, supervision and treatment of sex offenders.



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The eight judicial district contact information appears below.

<p>Karen Herkelman, District Director First Judicial District Dept. of Correctional Services 314 East Sixth Street P. O. Box 4030 Waterloo, IA 50704-4030 (319) 236-9626 Fax: (319) 291-3947 http://www.cedarnet.org/dcs1jd</p>	<p>Linda Murken, Director Second Judicial District Dept. of Correctional Services 510 Main Street P. O. Box 623 Ames, IA 50010-0623 (515) 232-1511 Fax: (515) 232-9453</p>

<p>Linn Hall, Director Third Judicial District Dept. of Correctional Services 515 Water Street Sioux City, IA 51103 (712) 252-0590 Fax: (712) 252-0634</p>	<p>Matt Gelvin, Director Fourth Judicial District Dept. of Correctional Services 801 South Tenth Street Council Bluffs, IA 51501 (712) 325-4943 Fax: (712) 325-0312</p>
<p>Gary Sherzan, Director Fifth Judicial District Dept. of Correctional Services 1000 Washington Avenue Des Moines, IA 50314 515/242-6621 Fax: 515/242-6656</p>	<p>Gerald Hinzman, Director Sixth Judicial District Dept. of Correctional Services William G. Faches Center 951 - 29th Avenue, SW Cedar Rapids, IA 52404 (319) 398-3675 Fax: (319) 398-3684 http://www.iowacbc.org</p>
<p>James L. Wayne, Director Seventh Judicial District Dept. of Correctional Services Community Resource Center 605 Main Street, Box 2A Davenport, IA 52803-5293 (563) 322-7986 Fax: (563) 324-2063</p>	<p>Curtis Campbell, Director Eighth Judicial District Dept. of Correctional Services 1805 West Jefferson P. O. Box 1060 Fairfield, IA 52556-1060 (641) 472-4242 Fax: (641) 472-9966</p>

- All individuals convicted of misdemeanor offenses can be on probation for a maximum of two years. Persons convicted of felonies can be on probation for a maximum of five years. Parolees can be on supervision until their mandatory expiration date, which can range from a few days to several years.
- Note: The Department of Corrections [DOC] is the entity who deals with sex offenders in prisons and the Judicial Department of Correctional Services [DCS, a department of DOC] handles sex offenders on probation, parole, as well as treatment programs (Sex Offender Treatment, Batterers, Anger Management, and other such programs) in a community setting.

What if I see a sex offender go into a public bathroom with kids at a store or see him/her at a swimming pool when children are there?

- You can call the police. If you know that the sex offender is on probation or parole, call the Department of Correctional Services (DCS) in your district (see above). Iowa City, Cedar Rapids and surrounding areas are in the 6th Judicial Department of Correctional Services. The number is (319) 625-2650 in Coralville or 319-398-3675 in Cedar Rapids).

What if he/she is acting weirdly or inappropriately?

- Call the police if you have concerns or see questionable or illegal behavior.

What if I see a sex offender drunk, in a bar, or using drugs?

- If the person is on supervision (parole/probation), call the Department of Correctional Services (see above).
- If the individual is not on supervision, there is nothing you can do. However, being drunk in public and possession of drugs are both illegal activities. Citizens could report such offenses to the police who could then arrest the person on those charges, unrelated to their status as a sex offender.

What do I do if I have a concern about a school employee (e.g., a teacher, assistant, janitor, or coach)?

- Contact the principal of the appropriate school and/or the Superintendent of the school district where the individual works.

As a landlord, if I find out that a sex offender is renting property from me, can I evict him/her?

- A landlord may begin an eviction proceeding in court for a number of reasons:
 1. The landlord chooses not to renew the lease, and the tenant refuses to vacate.
 2. The landlord rents month-to-month, and gives the tenant notice to vacate at least 30 days before the next month's rent is due.
 3. Non-payment of rent.
 4. The tenant has violated the lease.
 5. If the tenant poses a clear and present danger. This would have to include the tenant committing an act, or threatening to commit an act, that would cause harm to a tenant or the landlord; or committing an act, or threatening to commit an act, that would cause harm to someone either on or within 1,000 feet of the rental property.
- Landlords may not evict a tenant based solely on the fact that s/he is a registered sex offender, without one of the above factors applying.

-Interview with Elizabeth Norris, Iowa Legal Aid in Johnson County

What do I do if there is wrong information on the Sex Offender Registry?

- If you see information on the website that is wrong about an offender, please notify the sheriff of the county where the offender lives. You may also call Cheryl Nolan at the Sex Offender Registry at 515-281-4976. You may also email the Sex Offender Registry via the "contact" link located on the website. If an offender has the same name as an innocent citizen, the citizen can print off a copy of the Iowa Sex Offender Registry entry for the individual whose name s/he shares and carry it around in his/her pocket. S/he might also share it with neighbors, friends, and others, including the police since they may face questioning or receive warrants meant for the registered offender.

What resources are there for victims of sex crimes?

- Free, confidential services are available through victim service agencies throughout Iowa. To find the agency nearest you, contact the Iowa Sexual Abuse Hotline (ISAH) at 1-800-284-7821. In addition to making referrals, the 24 hours ISAH also provides support and information. Residents within the Iowa City calling area can call the Rape Victim Advocacy Program business line at 319-335-6001 or the 24 hour Rape Crisis Line at 319-335-6000. The Rape Crisis Line also provides advocacy, support and information to victims of sex crimes and to the people who care about them.

What are the laws regarding sex offenders after July 1, 2005?

Iowa will start enforcing a package of laws designed to protect children from pedophiles. The package, which Iowa Gov. Tom Vilsack (D) termed “the nation’s toughest against sex offenders”, will, in part,

- double the prison term to 10 years for certain sex crimes against children
- require life imprisonment for those convicted of a second major sex offense
- electronically monitor convicted pedophiles,
- use DNA testing on all felons and all registered sex offenders
- improve notification of crime victims when an offender is released from prison, among other measures.

Other aspects of the new laws are being interpreted at the time of this update and we will include any new information in the next update.

NOTE: The update date is listed in the header and footer.

Compiled by Dudley Allison, Probation/Parole Officer III, 6th Judicial Department of Correctional Services, and former Director of the Sex Offender Treatment Program at the Mt. Pleasant Correctional Facility in Mt. Pleasant, Iowa and Karla Miller, Executive Director, Rape Victim Advocacy Program, also Co-Facilitator of a sex offender treatment group for the 6th Judicial District of the Department of Correctional Services, former Treatment Program Supervisor for the Civil Commitment Unit for Sex Offenders, and Certified Polygraph Examiner (inactive). Allison and Miller are also members of the Iowa Board for the Treatment of Sexual Abusers (IBTSA).