

IN THE IOWA DISTRICT COURT FOR THE THIRD JUDICIAL DISTRICT

ADMINISTRATIVE ORDER NO. 2015-0226 #5

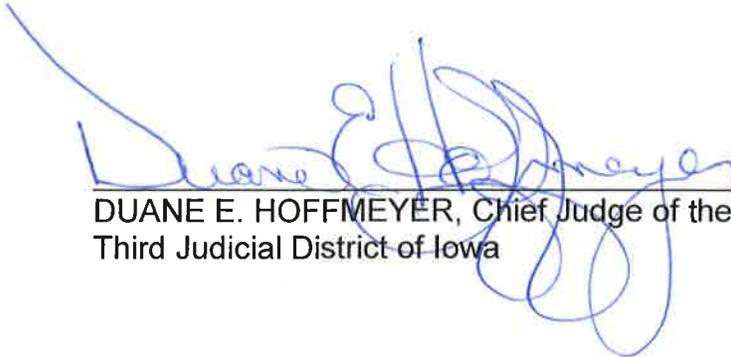
ADMINISTRATIVE ORDER APPROVING CONDITIONS OF PROBATION FOR
SEX OFFENDERS

IT IS ORDERED THAT:

1. Pursuant to the Iowa Administrative Code 201-42.1(12), the attached Specific Restrictions for Sex Offender With Minor Victims (two pages updated 1-15-15; and Acknowledgement of Limited Confidentiality and Waiver(1 page updated 1-13-15) is approved and shall apply to all sex offender individuals under supervision by the Third Judicial District Department of Corrections.
2. Any defendant placed on probation shall comply with all the terms and conditions outlined in the probation agreement. The Third Judicial District Department of Correctional Services has authority to transfer the defendant's supervision to another State in accordance with the Interstate Commission for Adult Offender Supervision (ICAOS) regulations. Offenders charged with offenses that do not fall under the ICAOS regulations may, with the permission of their probation officer, be allowed to reside in another state while remaining under the supervision of the Department of Correctional Services.

The court administrator shall file a copy of this order in each clerk office in the Third Judicial District and with the director of the Third Judicial District Department of Correctional Services.

Dated: February 26, 2015


DUANE E. HOFFMEYER, Chief Judge of the
Third Judicial District of Iowa

*e-mailed
to 16 Co. Clerks?
Steve Scholl
2/26/15 AM*

DEPARTMENT OF CORRECTIONAL SERVICES

Specific Restrictions for Sex Offenders With Minor Victims

I, _____, recognize and accept that as a sex offender I will remain in compliance with all laws and statutes specifically enacted for sex offender management, to include the Sex Offender Registry, Public Notification, Residency Restrictions, Electronic/GPS Monitoring, Hormonal Intervention Therapy, and DNA testing. In addition, I am subject to the usual terms and conditions of supervision for Probation, Parole, or Work Release, as well as the following special terms and conditions:

Contact with Victim(s) and/or Minor(s):

1. I will have no **DIRECT, INDIRECT, or PROXIMITY** contact with **any minor or victim** without prior written consent of the Sex Offender Treatment Program (SOTP) staff, my Probation/Parole Officer and/or the Court/Work Release/Parole Board.
2. A minor is defined as anyone under 18 years of age.
3. **Direct Contact** is one-to-one contact with my victim and/or minor. This includes in-person visits, touching, talking, talking on the phone, written letters or notes, and/or being near my victim and/or minor.
4. **Indirect Contact** is making contact with my victim and/or minor through another person or any other type of communication form. This includes asking another person to tell my victim and/or minor something, asking another person to have my victim and/or minor to contact me, and asking another person to contact my victim to ask or answer questions. Indirect contact also involves sending, or receiving packages, delivering or receiving gifts, and/or delivering or receiving money.
5. **Proximity Contact** is being in the proximity of a minor (such as in the same house, yard, store, or restaurant) where communication could be established with a minor. This constitutes a high risk for grooming behaviors, opportunity or interpretation of having an opportunity of inappropriate contact.
 - a. If a **minor is known to the offender**, you should control the situation by leaving. It is not appropriate to put the responsibility on the minor to avoid communication.
 - b. If a **minor is in a non-public place** and if the minor is not going to leave, you should leave.
 - **Examples:** a minor selling magazines door to door, minors come into your yard to play or ask questions, minors come to visit a friend while you are at a friend's house.
 - c. If the **minor is unknown to the offender and is in a public place**, all efforts should be made to minimize such contact by timing visits to public places when minors are not likely to be present. If this precaution is taken, and a minor is still encountered, you **should not initiate any communication** (verbal or nonverbal) with a minor. If a minor initiates communication, you should immediately move away from the minor's area. If the minor persists in trying to communicate, you should leave the area immediately.
 - **Examples:** grocery store, church, movies, etc.

**Specific Restrictions for Sex Offenders
With Minor Victims**

6. I will avoid agencies, or places where minors may be present, and in general avoid all areas, such as walking in front of schools, going to playgrounds, parks or attending carnivals or circuses, where minors might be present. I understand that it is my responsibility to carefully evaluate beforehand, all places that I go in order to avoid accidental contact with minors. If I do have contact with anyone under the age of 18, I will immediately remove myself from the contact.
7. I will not be allowed to dine at restaurants that have any type of play land.
8. I will not be allowed to attend matinee movies, children's movies, or movies geared to minors in general.
9. I shall not be present upon the real property of a public or nonpublic elementary or secondary school without the written permission of the school administrator or school administrator's designee, unless enrolled as a student at the school.
10. I shall not be present upon the real property of a child care facility without the written permission of the child care facility administrator.
11. I shall not be present upon the real property of a public library without the written permission of the library administrator.
12. I shall not access the internet via any electronic device(s) for the purpose of contact with minors, or for using or possessing sexually explicit material.
 - Any electronic devices(s) found in my possession will be subject to search at any time by the Department of Correctional Services, which may result in the seizure of my device(s) to perform the search.
 - All User ID's and passwords shall be submitted to my supervising officer and/or law enforcement officers upon request.
 - I will not access software that cleans or wipes computer media, blocks monitoring software, or restore a computer to a previous state.

I understand that the above restrictions apply unless greater restrictions have been imposed by the Court or the Iowa Board of Parole.

I hereby certify that I have read or (had read to me) the above restrictions, and that I do understand and agree that they shall be in full force and effect until I have received my final discharge from supervision with the Department of Correctional Services. I further certify that I have received a copy of this document.

Offender's
signature: _____

Date: _____

Witness: _____

Date: _____

DEPARTMENT OF CORRECTIONAL SERVICES

ACKNOWLEDGMENT OF LIMITED CONFIDENTIALITY AND WAIVER FOR SEX OFFENDERS

I, _____, have been informed and acknowledge that I have limited rights of confidentiality regarding my probation/parole supervision by the Department of Correctional Services.

I understand that the purposes of this waiver are for coordinating and planning my treatment, protecting the community from my sexually aggressive behavior, and repairing damage perpetrated on my victims by my sexually aggressive and other abusive behavior.

I consent to unrestricted communication among all Department of Correctional Services personnel responsible for my supervision. I also consent to unrestricted communication between my supervising officer and any other individual or agency when communication is deemed necessary to achieve the purposes stated above. I understand that these individuals or agencies may include, but are not limited to, the court, the victim, and social and rehabilitation services.

I also understand that my supervising officer is obligated to report acts of abuse towards children, disabled persons, elderly persons, or if my behavior presents a clear and imminent danger to either myself or other persons.

I understand that sexually aggressive behavior is criminal conduct that has serious consequences to the victim and the community. I want to control my sexually aggressive behavior, and I wish to be held fully accountable for my behavior.

I acknowledge that this waiver is signed without threat, promise, or coercion and is a voluntary act on my part.

Offender's signature: _____

Date: _____

Witness: _____

Date: _____

Updated 01-13-15

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- ADMINISTRATION
- FIELD SERVICES
- NORTH RESIDENTIAL FACILITY
- SOUTH RESIDENTIAL FACILITY

FIELD SERVICES AREA OFFICE

RESIDENTIAL FACILITY