

WG Rhea Public Library Sexual Offender Policy

The WG Rhea Public Library will conform to the Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act of 2004 as stated below for Public Libraries.

Title 40: Criminal Procedure

Chapter 39: Sexual Offender Registration and Monitoring

Part 2: Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act of 2004

TCA 40-39-216: Restricting access to public library.

(a) Public library boards shall have the authority to reasonably restrict the access of any person listed on the sexual offender registry. Such authority may be delegated by the board to the Library administrator.

(b) In determining the reasonableness of the restrictions, the board shall consider the following criteria:

(1) The likelihood of children being present in the library at the times and places to be restricted;

(2) The age of the victim of the offender; and

(3) The chilling effect of the use of the library by other patrons if the offender is not restricted.

(c) Nothing in this section shall prevent the board from imposing a total ban of the offender's access to a public library so long as the criteria in subsection (b) are considered.

(d) The restrictions of this part shall be effective upon the mailing of notice to the address of the offender as listed on the sex offender registry. The notice shall state with specificity, the time and space restrictions. The board, or if so delegated the library administrator, shall state in the notice that the criteria in subsection (b) have been considered.

(e) A registered sex offender who enters upon the premises of a public library in contravention of the restrictions five (5) days after mailing of the notice may, at the discretion of the director, be prosecuted for criminal trespass pursuant to § 39-14-405.

History: Acts 2011, ch. 287, § 1.

Issued: July 25, 2017 Rev 3

Approved: July 25, 2017

Reviewed: September 17, 2019 Rev 3

Approved: Sept 17, 2019

Reviewed: November 16, 2021 Rev. 3

Approved: Nov16, 2021