



Approved Date: 4/21/2026
Date of Adoption: 8/17/2021

Signed: Hugh G Brakebill

Sex Offender Policy

APPLICABLE TO: Library patrons listed on the Tennessee Sex Offender Registry or any other patron listed out of state on other Sex Offender Registries.

DEFINITIONS:

- Sexual Offender Registry: a government-maintained, public-facing, or law enforcement database that tracks individuals convicted of specific sex crimes.

PURPOSE: This policy is to inform Blount County Public Library stakeholders, Board members, Staff, and Patrons of the methods by which library leadership may restrict or deliver alternative access of library services and resources to persons listed on the Tennessee Sex Offender Registry or other State Sex Offender Registries. On site use of the Blount County Public Library by persons listed on any State Sex Offender Registry by reason of an offense classified as against children is not allowed.

This policy was developed pursuant to Tennessee Code Annotated Title 40, Chapter 39, Part 2, Section 216 relative to persons listed on the Tennessee Sex Offender Registry. This state law was enacted July 1, 2011 and updated in 2025, and reads as follows:

2019 Tennessee Code

Title 40 - Criminal Procedure

Chapter 39 - Offender Registration and Monitoring

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

§ 40-39-216. Restricting access to public library.

TN Code§ 40-39-216 (2025)

(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 a 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 section shall be effective upon the mailing of notice to the address of the offender as listed on the sexual 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 library administrator, be prosecuted for criminal trespass pursuant to § 39-14-405.

POLICY STATEMENT:

On site use of the Blount County Public Library by persons listed on any state Sex Offender Registries by reason of an offense classified as against children is not allowed.

A notice may be:

- Mailed to the offender's address, OR
- Handed to the offender directly the first time the offender is onsite in the presence of a police officer.

Alternative library service is available by remote access and access to circulating materials as follows:

- The offender may register for a library card directly with the director via telephone 865-273-1406 or via email bcpl.director@blounttn.org.
- He/she can make arrangements for a person of their choosing who is not listed on the Tennessee Sex Offender Registry by reason of an offense classified as against children to check out and return materials using that card.
- The offender may use his/her card to access remotely via a personal computer the library website, catalog, online materials or databases, library account, place holds and request materials through interlibrary loan.
- The offender can request reference information via phone or email.
- The offender is responsible for all use made of his/her library card.
- If an offender requests permission to come to the library, the director will notify the requestor that the policy does not allow the offender to enter the library building. The notice will state that the criteria in subsection (b) of the law have been considered (as required by Tennessee Code Annotated 40-39-216).
- Should an offender who has been sent such a notice enter the library, he/she may be arrested for criminal trespass as stated in subsection (e) of the Tennessee Code Annotated Title 40, Chapter 39, Part 2, Section 216.

SIGNAGE:

The following sign will be posted on or adjacent to the entrance doors to all library buildings.

POLICY NOTICE:

Library Policy pursuant to Tennessee Code Annotated 40-39-216 prohibits persons listed on the Tennessee Sex Offender Registry by reason of an offense classified as against children from entering the library building. Persons who violate this policy will be arrested for criminal trespass.

NOTICE TEMPLATE:

Date:

Dear :

Library policy restricts persons listed on the Tennessee Sex Offender Registry by reason of an offense classified as against children from entering the library.

Alternative library service is available by remote access and access to circulating materials as follows:

- You may register for a library card directly with the director via telephone 865-273-1406 or via email bcpl.director@blounttn.org.
- You can make arrangements for a person of your choosing who is not listed on the Tennessee Sex Offender Registry by reason of an offense classified as against children to check out and return materials using that card.
- You may use your card to access remotely via a personal computer the library website, catalog, online materials or databases, library account, place holds and request materials through interlibrary loan.
- You can request reference information via phone or email.
- You are responsible for all use made of your library card.

As required by law, the criteria in subsection (b) of the Tennessee Code Annotated 40-39-216 were considered when the policy was established. If you enter the library, you can be arrested for criminal trespass as stated in subsection (e) of the Tennessee Code Annotated Title 40, Chapter 39, Part 2, Section 216.

If you have been removed from the Tennessee Sex Offender Registry by reason of an offense classified as against children, please contact me on 865-273-1406 or bcpl.director@blounttn.org
Sincerely,

POLICY REVIEW: To be reviewed every two years.

POINT OF CONTACT: The Board of Trustees Secretary is the point of contact for this policy.

Blount County does not discriminate based on race, color, or national origin in federal or state-sponsored programs, pursuant to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d).