IN THE COURT OF APPEALS OF IOWA

No. 0-209 / 98-1826
Filed May 31, 2000

IN THE INTEREST OF J.V., A Child,

J.V., A Child,
Appellant.

FILED
MAY 3 1 2000
CLERK SUPREME COURT

Appeal from the Iowa District Court for Polk County, Karen A. Romano, Associate Juvenile Judge.

Juvenile appeals from the juvenile court ruling ordering him to register as a sex offender pursuant to Iowa Code section 692A.2 (Supp. 1995). **AFFIRMED.**

J. Michael Mayer, Des Moines, for appellant.

Thomas J. Miller, Attorney General, Sheryl A. Soich, Assistant Attorney General, John P. Sarcone, County Attorney, and Jon Anderson, Assistant County Attorney, for appellee.

Considered by Sackett, C.J., and Huitink and Vaitheswaran, JJ.

VAITHESWARAN, J.

The juvenile court adjudicated Joe a delinquent after he admitted to sexually abusing one of his younger step-sisters. A day before his eighteenth birthday, the court ordered him to register as a sex offender pursuant to Iowa Code section 692A.2 (Supp. 1995). Joe appeals, contending (1) the court applied an incorrect standard in resolving the registration issue and (2) abused its discretion in requiring him to register. We affirm.

I. Scope of Review

We generally review juvenile delinquency proceedings de novo. *In re S.M.D.*, 569 N.W.2d 609, 610 (Iowa 1997). However, we review a court's interpretation of a statute for errors of law. *Id.* 610-11. Additionally, our review of whether Joe should have been placed on the registry is for abuse of discretion. *In re S.M.M.*, 558 N.W.2d 405, 407 (Iowa 1997).

II. Sex Offender Registration

Iowa Code section 692A.2 provides:

> . . .[a] person who is convicted, as defined in section 692A.1, of either a criminal offense against a minor or a sexually violent offense as a result of adjudication of delinquency in juvenile court shall not be required to register as required in this chapter if the juvenile court finds that the person should not be required to register under this chapter.

Joe first contends the juvenile court impermissibly applied a heightened "exceptional circumstance" standard in determining whether he should register as a sex offender. The juvenile court stated,

> [i]t is the Court's understanding it would be the exceptional circumstance when a child should not be required to register and that the clear intent of the law is that individuals adjudicated or convicted of offenses such as the one that we're dealing with here in this case should be required to register for the protection of the

> public and so that law enforcement agencies know where these individuals are in order to better protect the public. And my determination has to be made on whether Joe's case is one of those exceptional cases where he should not be required to register.

The court merely reaffirmed what our Supreme Court has already held: the statute begins with the general requirement that certain classes of offenders register, then allows a juvenile court to exercise discretion to excuse registration in some cases. *Id.* We conclude the juvenile court did not read Iowa Code section 692A.2(1) incorrectly and did not apply an incorrect standard for determining whether Joe should register.

Joe next contends the juvenile court abused its discretion in ordering him to register. We disagree. Although Joe successfully completed a sex offender treatment program, the record reveals Joe failed to continue with post-release services. The juvenile court expressed concern about this failure. The court also noted that, while Joe's therapist recommended he not register, she did so with some reservation. Finally, the court stated Joe had yet to take responsibility for his actions, despite his representations to the contrary. The court concluded, "this Court does not find that this is that exceptional case where I would not require you to register for the sex offender registry. And I am going to require that you do register." We find no abuse of discretion in this ruling, and accordingly affirm the juvenile court's decision.

AFFIRMED.