

**BEFORE THE BOARD OF MASSAGE THERAPY EXAMINERS  
STATE OF IOWA**

---

<b>IN THE MATTER OF:</b>	)	<b>CASE NO. 01-001</b>
	)	
<b>JAMES LEE WESTERHOF,</b>	)	
	)	
<b>License No. 135-00802,</b>	)	<b>STATEMENT OF CHARGES</b>
	)	
<b>RESPONDENT</b>	)	

---

**COMES NOW** the Iowa Board of Examiners for Massage Therapy pursuant to Iowa Code chapters 17A, 147, 152C, and 272C (2003) and 645 Iowa Administrative Code (IAC) chapter 134, and alleges the following:

1. Licenses issued by the Board are subject to the laws of the State of Iowa and the administrative rules promulgated by the Board.
2. James L. Westerhof (Respondent) was originally licensed by the Board to practice massage therapy in the state of Iowa on June 10, 1996 and holds license number 135-00802. Respondent's license lapsed on June 1, 2002.
3. Respondent's current address as reported to the Board is 2117 North Gaymen Avenue, Davenport, Iowa 52804.

**COUNT I**

4. Respondent is charged with being convicted of a felonious act which is so contrary to honesty, justice or good morals and so reprehensible as to violate the public confidence and trust imposed upon him thereby affecting his ability to practice within the profession of massage therapy in violation of Iowa Code sections 147.55(5), 272C.3(2)(a), 272C.10(5), 152C.7, and 645 IAC 134.1(1)(e).

## **CIRCUMSTANCES**

5. On February 9, 2001, Respondent was sentenced by the United States District Court for the Southern District of Iowa after pleading guilty to a felony charge of sexual exploitation of minors in violation of 18 U.S.C. § 2252(a)(4)(B) and (b)(2) in criminal case number CR 00-22.

6. Respondent was sentenced to a term of imprisonment for 30 months commencing on April 2, 2001. Respondent was also ordered to three years of supervised release upon his release from imprisonment. Conditions of his release include no direct or indirect contact with a child under age 18 and restrictions relating to his employment.

7. Respondent's criminal conviction relates to the profession or occupation of massage therapy and/or affects Respondent's ability to practice within the profession of massage therapy in that the underlying act is so contrary to honesty, justice or good morals and so reprehensible as to violate the public confidence and trust imposed upon him.

8. Respondent engaged in conduct which violated the laws and rules governing the practice of massage therapy and the Board has jurisdiction to initiate a disciplinary proceeding in this case.

9. On June 3, 2003, the Iowa Board of Massage Therapy Examiners found probable cause to file this Statement of Charges and to order a hearing set in this case.

**This Statement of Charges is approved by the board on June 16, 2003.**