Iowa State University

2017 Annual Security and Fire Safety Report

October 2018
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Annual Security and Fire Safety Report Overview

Choosing which college or university to attend is a major decision for students and their families. Along with academic, financial, and geographical considerations, the issue of campus safety is a vital concern. In 1990, Congress enacted the Crime Awareness and Campus Security Act of 1990 which amended the Higher Education Act of 1965 (HEA). This act required all postsecondary institutions participating in HEA’s Title IV student financial assistance programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998, 2000 and 2008. The 1998 amendments renamed the law the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” (Clery Act) in memory of a student who was slain in her dorm room in 1986.

On March 7, 2013, the Violence Against Women Reauthorization Act of 2013 (VAWA) was signed into law. VAWA includes amendments to the Clery Act. These changes require institutions to disclose statistics, policies and programs related to dating violence, domestic violence, sexual assault and stalking, among other changes. Specifically, these changes added or modified requirements related to: disclosure of statistics of the number of dating violence, domestic violence, sexual assault, and stalking incidents; disclosure of statistics of new categories of Hate Crimes; implementation by institutions and disclosure of programs to prevent dating violence, domestic violence, sexual assault and stalking; disclosure of procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred; and implementation by institutions and disclosure of procedures for institutional disciplinary action in cases of dating violence, domestic violence, sexual assault and stalking.

To comply with the Clery Act, every institution must: 1) collect, classify and count crime reports and crime statistics; 2) issue campus alerts (including timely warnings and emergency notifications) to provide the campus community with information necessary to make informed decisions about their health and safety; 3) provide educational programs and campaigns to promote the awareness of dating violence, domestic violence, sexual assault and stalking; 4) have procedures for institutional disciplinary action in cases of dating violence, domestic violence, sexual assault and stalking; 5) publish an annual security report containing safety– and security-related policy statements and crime statistics, distribute it to all current students and employees and inform prospective students and employees about the availability of the report; and 6) submit crime statistics to the federal Department of Education.

In addition to the above requirements, if an institution has a campus police or security department, the department must keep a daily crime log of alleged criminal incidents that is available to the public. If the institution has on-campus student housing facilities, it must also: 1) disclose procedures for missing student notifications that pertain to students residing in those facilities; 2) maintain a fire log that is open to public inspection; 3) publish an annual fire safety report; and 4) submit fire statistics to the federal Department of Education.

The Iowa State University Police Department, in conjunction with multiple university entities and local law enforcement agencies, has the responsibility of compiling the information, preparing and distributing the annual security and fire safety report for the university by October 1st of each year. To satisfy this requirement, an e-mail notification is sent to all current students and employees with a direct link to the report. Printed copies are available upon request. To request a printed copy, contact the Iowa State University Police Department, Room 55 Armory Building, 2519 Osborn Drive, Ames, Iowa 50011 or call 515-294-4428.
Message from Chief Newton

Whether you are starting or continuing your adventure at Iowa State University, the Iowa State University Police Department is dedicated/committed to ensuring your safety as you pursue your life goals. This 2017 Annual Security Report and Annual Fire Safety Report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998. Over the years amendments to the Clery Act have included the disclosure of statistics related to dating violence, domestic violence, sexual assault, stalking incidents and hate crimes.

Within this report you will find crime statistics for the calendar years 2015-2017 and other items related to personal safety including:

- policy statements on a wide-range of campus safety and disciplinary topics,
- procedures for reporting emergencies along with an explanation of how the campus responds to emergencies,
- procedures for reporting crimes and other violations,
- an explanation of timely warnings and how those are issued at ISU,
- the Title IX Resource Guide on Sexual Misconduct, Sexual Assault, Sexual Harassment, Stalking and Intimate Partner Violence Resource Guide,
- policy statements on the usage of alcohol, drugs, and other intoxicants, and
- the fire safety report for the ISU campus.

Here at the PD we are very proud of our commitment to collaborate with the diverse communities represented on campus and we work hard to provide outreach and assistance to the whole Iowa State community. This report also outlines educational programming that the ISU PD provides on a variety of topics including how to report crimes on campus, violent incident response training, personal safety, threat assessment, crime prevention, alcohol/drug awareness, and resources available to victims.

During 2017, there were 300 separate presentations made throughout the year to over 48,000 attendees.

I have great confidence that this report will be a useful handbook and reference tool that will promote safety and security on our campus and beyond.

Sincerely,

Michael Newton
Assistant Vice President / Chief of Police
Iowa State University Department of Public Safety
Definitions of Clery Reportable Crimes

For Clery Act reporting, crimes must be reported according to the FBI’s Uniform Crime Reporting Handbook (UCR). For sex offenses only, the definitions that are used are from the FBI’s National Incident-Based Reporting System (NIBRS).

**Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**Negligent Manslaughter:** The killing of another person through gross negligence.

**Sexual Assault:** Any sexual act directed at another person, without consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes both males and females.

- **Fondling:** The touching of private body parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental incapacity.

- **Incest:** Sexual intercourse between persons who are related to each other within the degree wherein marriage is prohibited by law.

- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

**Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons, by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault:** The unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.

**Arson:** Willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

**Liquor Law Violations:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.
Definitions of Clery Reportable Crimes

**Drug Abuse Violations:** The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

**Weapons Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

**Hate Crimes:** A hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. Bias is a preformed negative opinion or attitude towards a group of persons based on their race, religion, sexual orientation, gender, gender identity, ethnicity, national origin or disability.

For Clery purposes, hate crimes include any Clery reportable offenses and these additional offenses that are motivated by bias:

- **Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

- **Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

- **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.

- **Destruction/Damage/Vandalism of Property:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.
<table>
<thead>
<tr>
<th>Offense</th>
<th>On-Campus Property</th>
<th>Non-Campus</th>
<th>Public Property</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/Non-Negligent Manslaughter</td>
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<td>0</td>
<td>0</td>
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<td>0</td>
<td>0</td>
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<tr>
<td>Rape</td>
<td>13</td>
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<tr>
<td>Fondling</td>
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<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Incest</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Statutory Rape</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Robbery</td>
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<td>1</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Aggravated Assault</td>
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<td>2</td>
<td>4</td>
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<td>Burglary</td>
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<td>4</td>
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<tr>
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<td>0</td>
<td>3</td>
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<td>Arson</td>
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<td>152</td>
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<tr>
<td>Drug Abuse Violations</td>
<td>63</td>
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<td>Weapon Law Violations</td>
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<td>Liquor Violation Referrals</td>
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<td>Dating Violence</td>
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<td>Stalking</td>
<td>17</td>
<td>33</td>
<td>20</td>
<td>19</td>
</tr>
</tbody>
</table>

In the above table, the On-Campus Property crimes are reported in two categories — Res indicates the crime occurred in an on-campus residence hall; Oth indicates the crime occurred in an on-campus location other than a residence hall. By adding the two columns, you will get the total number of on campus crimes reported.
Hate Crimes:

2015  1 hate crime was reported
       1 hate crime occurred on public property; it was classified as an aggravated assault
       motivated by race

2016  5 hate crimes were reported
       1 hate crime occurred in an on-campus residential facility; it was classified as an arson
       motivated by race
       1 hate crime occurred in an on-campus residential facility; it was classified as intimidation
       motivated by race
       1 hate crime occurred on campus property; it was classified as intimidation motivated by
       gender
       1 hate crime occurred in an on-campus residential facility; it was classified as intimidation
       motivated by religion
       1 hate crime occurred on campus property; it was classified as intimidation motivated by
       national origin

2017  4 hate crimes were reported
       3 hate crimes occurred in an on-campus residential facility; they were classified as
       intimidation motivated by race
       1 hate crime occurred on other campus property; it was classified as intimidation motivated
       by national origin

Unfounded Reports:

2015  No reports were unfounded

2016  3 reports were unfounded
       1 burglary on campus in a residential facility was unfounded by a certified police officer
       1 non-campus motor vehicle theft was unfounded by a certified police officer
       1 on-campus motor vehicle theft was unfounded by a certified police officer

2017  7 total reports were unfounded, two of these were Clery Reportable Crimes (rape and stalking)
       3 larcenies on campus property were unfounded by certified police officers
       2 larcenies in an on-campus residential facility were unfounded by certified police officers
       1 rape on campus property was unfounded by a certified police officer
       1 report of stalking on other campus property was unfounded by a certified police officer
Law Enforcement Authority and Jurisdiction

The Iowa Board of Regents policy 4.13 states that “it is the policy of the Board that each Regent campus develops and maintains comprehensive plans to assure appropriate guidance and direction in promoting a safe and secure campus environment.” Also, it is a general guideline that “each university shall maintain appropriately trained public safety personnel on campus that includes police officers as well as security personnel.”

All police officers at ISU receive their certification through the Iowa Law Enforcement Academy and complete an intensive police officer training course prior to working in an independent capacity. They are empowered under section 262.13 of the Iowa Code to enforce all federal, state and local laws and have the authority to apprehend and arrest anyone involved in illegal acts on, or adjacent to campus. While their main jurisdiction is the Iowa State University campus and outlying properties owned or controlled by the university, a mutual aid agreement with the City of Ames allows officers to patrol and investigate alleged criminal offenses outside established institutional boundaries. The Ames Police Department shares pertinent information with the University which aids in monitoring and documenting criminal activity of ISU students occurring at non-campus locations within the City of Ames. Statewide jurisdiction exists when acting in the interests of Iowa State University.

In addition to the Ames Police Department, ISU police officers maintain a close working relationship with the Story County Sheriff’s Office, Iowa State Patrol, Iowa Division of Criminal Investigation, Iowa Division of Narcotics Enforcement, Federal Bureau of Investigation, and other federal law enforcement agencies.

The ISU Police Department utilizes the National Crime Information Center (NCIC) and the Iowa Online Warrants and Articles (IOWA) systems to share crime-related information and messages with law enforcement agencies throughout the United States. Membership in law enforcement related professional organizations provides additional avenues for officers to collaborate and exchange information, keeping abreast of the latest technology and trends affecting public safety across the nation.

Clery requirements include that campus police departments maintain a daily crime log and make it available to the public upon request. The crime log contains the following information: the date the crime was reported; the type crime, the general location of the crime; and the disposition of the complaint if known. The log must be updated within two business days of the report being made unless doing so would jeopardize an ongoing criminal investigation or the safety of an individual; cause a suspect to flee or evade detection; or result in the destruction of evidence. The daily crime log does not include the victim’s name or other personally identifying information. The crime log is posted to the ISU police website: www.police.iastate.edu.

Keeping the ISU campus safe for students, faculty, staff and visitors is a responsibility we all share. If you see any suspicious or criminal activity, call the ISU Police Department immediately.

To Report a Crime in Progress or Other Emergency:
Call 911

To Report a Crime That Has Occurred or Other Non-Emergency Situations On Campus
Call ISU Police
515-294-4428
Reporting Emergencies

Reporting Emergencies On Campus

Iowa State University is dedicated to providing a safe and secure environment for students, faculty, staff, and visitors. The Higher Education Opportunity Act (HEOA) requires institutions to disclose emergency response policies and procedures that will be implemented whenever a significant emergency or dangerous situation exists on campus that involves an immediate threat to the health or safety of students, staff or visitors.

Reporting an Emergency

All members of the ISU community are urged to report a dangerous situation on campus that involves an immediate threat to the health or safety of students, staff or visitors by calling 911.

Institutional Response

ISU Police will initiate the institutional response by immediately investigating reports of significant emergencies and dangerous situations within the university community. ISU Police may request assistance from other university departments or units, as necessary, to confirm that an immediate threat to the health or safety of students, staff or visitors exists on campus.

Emergency Notification

Should an emergency or dangerous situation pose an immediate threat to the health and safety of campus community members, they shall be notified without unreasonable delay, unless ISU Police determine that an immediate notification would place the ISU community or a victim at greater risk or would compromise efforts to contain, respond to or mitigate the emergency. It is the responsibility of ISU Police, with the assistance of other departments or units, as necessary, to:

- Determine the content of any notification,
- Determine the appropriate campus segments to notify,
- Initiate the appropriate notification system, and
- Continue to update the ISU community during the emergency.

If deemed necessary, ISU Police will notify local law enforcement of the emergency if they are not already aware of it and local media outlets in order that the larger community outside the campus will be aware of the emergency.

Methods of Communication

ISU has several systems in place for communicating emergency information to members of the ISU community. Any or all of the following methods of emergency notification may be used depending on the type and nature of the emergency, and are explained in detail on the following page.

- ISU Alert
- Voice-enhanced siren system
- University web site
- Emergency telephone voice recording
- Public address systems
- Personal communication
- Signage
Reporting Emergencies

ISU Alert: ISU Alert is an electronic system for quickly delivering emergency messages to Iowa State University students, faculty and staff. Notifications will be sent via landline phones, cell phones, text messages and e-mail. Messages will be brief, include basic information and provide instructions on how to obtain more details. The ISU Alert system will be used only for emergencies that pose an immediate danger to the university community. Examples may include, but are not limited to:

- Bomb threats or other imminent violent threats,
- Fires, natural gas leaks and hazardous spills affecting the entire campus,
- Building evacuations or lock downs affecting the entire campus,
- Biological or pandemic emergency notifications,
- Natural disasters,
- Power outages and utility failures resulting in an imminent threat, and
- Campus closure due to declared civil emergency.

ISU Alert Contact Information on AccessPlus: All members of the Iowa State University community are encouraged to keep their ISU Alert contact information up to date. Edits can be completed using AccessPlus. Instructions for updating ISU Alert information can be found on the ISU Alert website.

Users should keep in mind that their ISU Alert information is separate from information participants enter in the Emergency Contact Database. Information in the Emergency Contact Database is used by authorized personnel to contact loved ones or next of kin in the event the participant is missing or otherwise unable to contact others herself or himself.

Voice-enhanced siren system: The University has five strategically placed warning sirens on the campus to alert the campus community to a dangerous condition. The system permits voice broadcasts to communicate any necessary emergency information to the community.

University web site: Updated information following a message notifying the campus of an emergency will be found on the university website and available for the university and general communities and media outlets if warranted. In cases of extreme emergency, the university has the ability to replace the regular website with a website designed for emergency communications only. Regular website functionality can be obtained from a link on the emergency website.

Emergency telephone voice recording: The telephone number 515-294-5000 contains a recorded message that provides general information to listeners in the event of an emergency.

Public address systems: Specific areas and buildings on campus have public address systems which can be used in the case of an emergency to disseminate information. In addition, ISU Police vehicles are equipped with public address systems which can be used in specific emergencies.

Personal communication: Individual departments and units are encouraged to maintain a variety of forms of personal communication, including phone trees and email lists that can be accessed if needed.

Signage: A variety of signage may be created to help provide direction in the event of an emergency. Each building on campus is assigned a building supervisor, who may be asked to assist in the case of an emergency. Building supervisors can create signage to provide information and direction to members of our campus community. Occupants of buildings are encouraged to familiarize themselves with the nearest evacuation route.
Testing
All emergency communication methods are tested on at least an annual basis, according to standards as appropriate. ISU Police maintains records of these tests, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the University will distribute to its students and employees information to remind them of the University’s emergency response and evacuation procedures.

Evacuation
Each building on campus has a designated evacuation plan in the event of an emergency that would require such action. These plans are posted on each floor of each building and can be accessed online. Other than fire alarms, ISU Police are responsible for determining if the emergency or dangerous situation is such that a building evacuation is necessary and if so, notifying the occupants of the building or buildings of the decision to evacuate.

Reporting Emergencies Off Campus

Reporting an Emergency
All members of the ISU community are urged to report a dangerous situation off campus that involves an immediate threat to the health or safety of students, staff or others by calling 911. Response will be provided by the law enforcement entity having jurisdiction in that area.

Keep Your ISU Alert and Emergency Contact Information Up to Date!

<table>
<thead>
<tr>
<th>ISU ALERT INFORMATION</th>
<th>EMERGENCY AND MISSING PERSON CONTACT INFORMATION</th>
</tr>
</thead>
</table>
| The subsequent page will display your current:  
  - Telephone number for voice alerts  
  - Telephone number for test alerts  
  - E-mail address for e-mail alerts | The subsequent page will display your current:  
  - Emergency contact information for up to 5 individuals  
  - Missing person contact information (this is the first person on your contact list) |
| Check your ISU Alert information to ensure that it is accurate and that it includes the telephone numbers and e-mail address most likely to reach you in an emergency. | Add or change names, addresses, telephone numbers and e-mail addresses for persons to be contacted in an emergency. |
| If you don’t wish to receive one or more of the alerts (voice, text, or e-mail), leave that item blank. | Change the order of your contacts using the up/down arrows. |
| If you leave ALL sections blank, you WILL NOT receive any ISU Alerts in an emergency. | If you do not submit information, the university may not have anyone to contact in the event you have an emergency or are missing. |

Note: Changes made to your ISU Alert and Emergency Contact Information will take effect each evening, Monday through Friday, excluding holidays.
Reporting Crimes and Other Violations

Reporting Responsibility—Violations

It is the policy of Iowa State University that it is the responsibility of students, employees and visitors to report potential or suspected violations of policies, regulations and laws. The code of business and fiduciary conduct makes each of us responsible for bringing to the attention of the appropriate office any suspected violations of university standards and policies, state and federal laws and regulations, and government contracts and requirements.

Failure to report known or suspected violations and crimes is itself a breach of university ethical standards and can lead to discipline of employees and students, up to and including separation from the university. As provided by the non-retaliation against persons reporting misconduct policy, reports made in good faith will not jeopardize the reporter’s position or employment.

This would include violations that:

- Occur on university property, including leased facilities,
- Interfere with any university obligation, whether legal, contractual or otherwise, or
- Occur between members of the university community of students, faculty, staff and visitors to ISU property.

All employees have the obligation to report violations except for professions which retain obligations of confidentiality under accepted codes of ethics. Such professions include:

- Employees of the office of the ombuds, as required by accepted ombuds codes of ethics,
- Clergy, including any chaplains, as required by accepted standards of ethics, and
- Attorneys as required by the rules of professional responsibility and specifically applicable to attorneys employed to provide legal assistance to students.

Standard for Good Faith Reporting

To the extent known, reporters are expected to provide truthfully and in good faith the following information:

- Name and/or description of the person engaged in misconduct,
- Name and/or description of alleged victims,
- Time and date,
- Location, and
- Information and evidence supporting the allegation that misconduct has occurred.

Criminal Misconduct and/or Violence

Members of the university community have a responsibility to report any suspected crime to the Iowa State University police. If incidents are not on the Ames campus, local police authorities should also be called in order to avoid any delay in response. It is especially important to report any suspected crime of violence or other crime that may result in significant harm to individuals or property loss or damage.
Reporting Crimes and Other Violations

Physical and Sexual Abuse of Children

- Consistent with Iowa Code §262.9(37), all university employees who in the course of employment receive information related to suspected physical or sexual abuse of children must immediately report such information to the Iowa State University police. In the case of incidents not on the Ames campus, local police authorities should also be called in order to avoid any delay in response.
- University employees who are mandatory reporters of all forms of child abuse (not just physical or sexual abuse) under state law must also fulfill their statutory obligation to report to the department of human services as provided by Iowa Code §232.67-70.
- University employees, students and visitors who are not mandatory reporters may, and are strongly encouraged to report all forms of child abuse directly to the department of human services as provided under Iowa Code §232.67-70.

Financial Misconduct

The university has obligations for proper expenditure of funds as prescribed by the source of funds. Grant and contract funds must be expended consistent with the funding source and conditions of the grant or contract. Expenditure of donated funds must be consistent with donor restrictions.

The university has an obligation to report to federal authorities a significant overpayment or violation of the civil false claims act or a federal criminal law involving fraud, conflict of interest, bribery, or gratuity when credible evidence exists that such conduct occurred in connection with a federal contract performed by the university or its subcontractors.

Employees should report such concerns to the Office of Internal Audit or the Office of University Counsel. These offices are responsible for making recommendations on reporting and other appropriate action.

Other Violations

Other violations should be reported as indicated below:

<table>
<thead>
<tr>
<th>TYPE OF VIOLATION</th>
<th>REPORT TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee misconduct</td>
<td>University Human Resources or Senior Vice President and Provost (faculty misconduct)</td>
</tr>
<tr>
<td>Discrimination and harassment</td>
<td>Office of Equal Opportunity</td>
</tr>
<tr>
<td>University policy</td>
<td>Policy Administrator</td>
</tr>
<tr>
<td>Research misconduct</td>
<td>Office for Responsible Research</td>
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<tr>
<td>Student disciplinary</td>
<td>Office of Student Conduct</td>
</tr>
<tr>
<td>NCAA</td>
<td>Athletics Compliance</td>
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</table>

Individuals may use the ISU compliance and ethics hotline at 515-294-7119 or online at [https://www.policy.iastate.edu/ethics-hotline/online-report](https://www.policy.iastate.edu/ethics-hotline/online-report) to report matters other than serious crimes, student misconduct, employee misconduct and discrimination and harassment. Crimes involving harm or violence should be reported directly to the Iowa State University police to avoid further damage or endangerment to the public.
Other Reporting Options

Iowa State University recognizes that not all students and/or employees who are victims of crime want to report the incident to the police. It is your right not to file a police report. However, there are designated individuals on campus to whom you can report the incident without having your identity revealed. These individuals are Campus Security Authorities (CSAs) who can file an anonymous report on your behalf and assist you in getting the resources you need.

Who are CSAs?

“Campus security authority” is a Clery Act specific term that encompasses four groups of individuals and organizations associated with an institution.

- **A campus police department or a campus security department of an institution.** All individuals who work for that department are campus security authorities.

- **Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).** This includes individuals such as those who provide security at a campus parking kiosk, monitor access into a campus facility, act as event security (such as for sporting events or large, registered parties), or escort students around campus after dark.

- **Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.** This means that if you or your organization is identified as someone that crimes should be reported to, you are a CSA.

- **An official of an institution who has significant responsibility for student and campus activities, including but not limited to, student housing, student discipline and campus judicial proceedings.** An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

Examples of CSAs include (this list is not all-inclusive):

- A dean of students overseeing housing, a student center or student extracurricular activities,
- A director of athletics and all athletic coaches (including part-time employees and graduate assistants),
- A faculty advisor to a student group,
- A student resident advisor or assistant,
- A student monitoring access to residence halls or buildings that are owned by recognized student organizations,
- A coordinator of Greek affairs,
- A Title IX coordinator,
- An ombudsperson (including student ombudspersons),
- The director of a campus health or counseling center,
- Victim advocates or others who are responsible for providing victims with advocacy services, such as assisting with housing relocation, disciplinary action or court cases, etc.,
- Members of a sexual assault response team (SART) or other sexual assault advocates,
- Officers from local law enforcement who are contracted by the institution to provide campus safety-related services.
Other Reporting Options

What does a CSA do?
The function of a CSA is to report to the official or office designated by the institution (ISU Police) to collect crime report information, those allegations of Clery Act crimes that he/she receives. CSAs are responsible for reporting allegations of Clery Act crimes that are reported to them in their capacity as a CSA. This means that CSAs are not responsible for investigating or reporting incidents that they overhear students talking about in a hallway conversation; that a classmate or student mentions during a speech, workshop, or any other form of group presentation; or that the CSA otherwise learns about in an indirect manner.

CSAs provide the following information to ISU Police:
- Type of crime committed,
- Date crime occurred, and
- Location of crime.

How is this information used?
The information provided by CSAs is used in compiling data for the number of Clery crimes that occurred within the university’s Clery reportable geography (see crime data on page 7). It is also reviewed to determine if a timely warning needs to be issued to the campus community.

Where can I find the CSA report form?
The CSA report form is located at www.police.iastate.edu/services/crime-report-form.

Confidential Counseling

Individuals Who Are NOT CSAs

- **Pastoral counselor:** A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling; and is functioning within the scope of that recognition as a pastoral counselor. Iowa State University does not employ any pastoral counselors.

- **Professional counselor:** A person whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of the counselor’s license or certification.

(Although not required, pastoral and professional counselors are encouraged to, if and when they deem it appropriate, inform the persons they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.)
Timely Warnings

Timely warnings must be issued for any Clery Act crime that occurs on or near campus that is reported to campus security authorities or local police agencies, and is considered by the institution to represent a serious or continuing threat to students. It must also be determined by the institution that a timely warning does not compromise law enforcement effort.

(Clery Act crimes include: murder/non-negligent manslaughter; manslaughter by negligence; rape; fondling; incest; statutory rape; robbery; aggravated assault; burglary; motor vehicle theft; and arson.)

Timely warnings are not limited to Clery Act crimes. They shall be issued whenever ISU Police determines that a potentially dangerous situation exists on or near campus that is considered to pose a serious or continuing threat to students and employees.

There are instances when a timely warning is not required to be issued. These are:
- When a crime is reported to a pastoral or professional counselor.
- If an immediate threat to the health or safety of students or employees occurring on campus has resulted in an emergency notification to be issued by Iowa State University, a timely warning is not required to be issued in relation to the same circumstances.
  ♦ However, Iowa State University will provide adequate follow-up information to the university community as needed.

Procedures for Issuing Timely Warnings

1. The Chief of Police or designee is responsible for determining that a potentially dangerous situation exists on or near campus that poses a serious or ongoing threat to the campus community.

2. Upon confirmation, the Chief of Police or designee may consult with University Relations staff, the Dean of Students, the Department of Residence, and other university officials as appropriate to determine the content of the warning.

3. ISU will use active channels of communication to notify the campus community of the timely warning. Currently, mass e-mail notification is the best option; however, ISU may also determine if the ISU ALERT system, outdoor early warning system, postings to the ISU Homepage, social media websites, twitter, and local television and radio stations would provide additional strategies for informing the campus and larger community.

4. The Office of University Relations has been designated as the entity responsible for distributing timely warning notifications to campus community members. The ISU Police Department has also designated an individual(s) within the department that has the authority to distribute the notices when necessary.
Missing Student Policy

The Higher Education Opportunity Act (HEOA) requires institutions to adopt a policy regarding notification of law enforcement when a student is missing.

**Reporting a Student as Missing**

When a student is missing, as defined in this policy, ISU Police shall be notified as soon as possible, but no later than twenty-four hours after the student’s absence is noticed. Any person may report any Iowa State University student as missing by making a report to the ISU Police or calling 515-294-4428.

For purposes of this policy, a student is missing when the student’s whereabouts are unknown and unexplained for a period of time that would be regarded as highly unusual or suspicious by persons familiar with the student’s plans, habits or routines.

**Initial Institutional Response**

Upon receipt of a missing student report, the ISU Police Department will promptly begin efforts to locate the student on campus, at other sites controlled by the university and at other locations in which the student resides, working closely with the:

- Dean of Students Office,
- Department of Residence,
- Academic college and department in which the missing student is enrolled,
- Department in which the missing student is employed (in the event the student is employed by ISU), and
- Local law enforcement agencies in the locations where the student resides.

Initial efforts to contact the student may involve telephone, e-mail, text message or other electronic communications such as use of a meal plan card or building access card.

University personnel authorized by ISU Police or the Dean of Students Office may attempt to contact the student at his or her housing unit on campus or at his or her local residence.

If a student who resides in university controlled housing units does not respond to initial efforts to make contact, Student Affairs or other authorized Department of Residence personnel may enter the student’s room in order to assess the condition of the room and look for clues to explain the student’s absence. ISU Police will request that Student Affairs personnel enter student rooms.

University personnel authorized by ISU Police or Dean of Students Office may pursue such additional or other investigative activities as are reasonable under the circumstances.

**Institutional Response After Determining Student is Missing**

No later than twenty-four hours after the time a student is determined to be missing, as defined under this policy, Iowa State University shall initiate the following emergency contact procedures:

- The ISU Police shall notify local law enforcement agencies such as the Ames Police Department, the Story County Sheriff’s Office, and other law enforcement agencies in locations where the student resides in an attempt to locate the missing student.
- The ISU Police must notify the persons designated by the student in the Emergency Contact Database that the student is missing.
- The Dean of Students Office must notify the student’s custodial parents or legal guardians in the case of an unemancipated student under the age of eighteen.
Missing Student Policy

Student’s Option to Identify Persons to Be Informed

**Students in university controlled housing:** At the time that a student initially registers for classes or is accepted as a resident in university controlled housing, the student will be given an opportunity to designate an emergency contact which would be used in the event the student is missing. This information can be updated at any time by the student.

**Emergency contact information on AccessPlus:** All students, whether living in university controlled housing or not, will be provided confidential means to designate and update emergency contacts using the Emergency Contact information page on the ISU AccessPlus website. This website contains a special section for students to provide missing contact information.

**Confidentiality:** Missing Person contact information will be maintained by the University as a confidential student record and will be accessible only to specifically designated authorized university officials. This confidential information may not be disclosed except to law enforcement personnel in furtherance of a missing student investigation.

**Students Under 18:** The University will inform students under the age of eighteen that, in the event they are emancipated and determined to be missing, their custodial parent or legal guardian must be notified.
Access to Facilities and Grounds and Access Restrictions

University facilities and grounds are generally open to public access except as provided below:

- Persons may not enter buildings or facilities without authorization when the buildings or facilities are locked, when signs indicate they are closed to the public, or when they are closed to the public for specific events.

- The following facilities and grounds are restricted areas; therefore access requires express permission of the relevant building supervisor, superintendent, or other person in charge of the facility:
  - Individual residences or dwellings,
  - Research laboratories or facilities,
  - Farms and associated buildings,
  - Animal storage and confinement facilities,
  - Utility and maintenance closets, mechanical rooms, utility facilities, and utility tunnels
  - Storage areas,
  - Hazardous materials waste storage and handling areas,
  - Marked or fenced construction areas,
  - Institutional food preparation areas,
  - Private offices,
  - Work rooms,
  - Shops,
  - Areas where medical, psychological or other consultation takes place,
  - Radio and television studios,
  - Intercollegiate athletics competition facilities, and
  - Areas which bear signs indicating that access is restricted.

- The university has leased some of its facilities and grounds to other parties for use related to the university purposes (for example, Ames Laboratory and the national Laboratory for Agriculture and Environment). Such areas are not open to the public except as provided by the lessee of the property or facility.

- The Scheman Continuing Education Building, Stephens Auditorium, Fisher Theater, and the Iowa State University Research Park are managed by separate organizations that regulate usage of these facilities and grounds.

- Access to facilities and grounds may be denied when they are closed to the public for special university events or when access would conflict with an approved use of the facilities or grounds. The university may limit or control access to areas of the campus for ceremonial events and celebrations such as graduation.

- Unapproved uses of university facilities and grounds by the general public are subject to preemption for university activities for use by recognized student and campus organizations and for uses by students, faculty and staff for purposes related to the university’s mission.

- Access to performance, art exhibits, museums and other exhibitions may be regulated by requirement of payment of a fee for entry. Visitors are required to abide by policies established for the various facilities and grounds.

- Access to campus roads and parking is governed by university parking and traffic regulations, as well as signage erected upon campus roadways and parking areas.

The full university policy may be viewed at: [http://www.policy.iastate.edu/policy/facilities/use#access](http://www.policy.iastate.edu/policy/facilities/use#access).
Access to Department of Residence Housing Facilities

Card Access

All residence halls and Frederiksen Court Apartments use an electronic card access system. Once you have properly checked in, your ISUCard will be updated to include access for your assignment. When buildings are locked, follow these steps to use your Access Card to enter your assigned building:

1. Take your access card OUT of your wallet, purse, bag, etc.
2. If you keep your card in a RFID-blocking sleeve, take your card OUT of the sleeve.
3. Lightly “tap” your access card on the card reader panel.
4. The card reader will beep, the light will turn green, and the door will unlock. The door handle may not turn, but the door should pull open.

If the door won’t open, please wait 5 seconds before you or anyone else try to use the card reader again. After three tries, if your card does not work, call the posted number and a staff member will let you in.

**Common reasons why a card may not work:**

- You do not have access to the door you are trying to enter.
- You are not coded as checked-in to your assignment.
- You are not coded as having completed your room change.
- You have multiple access cards in your wallet, purse, bag, etc.
- Your card is in a RFID-blocking sleeve.

Key and Key/Lock Changes

When you check in to your assignment you will be issued a set of keys. The type and number of keys you will be issued depend on where you live, but may include keys to your apartment/suite, bedroom, bathroom, mailbox, or den. When you check out you will be required to return all of the keys you were originally issued. For security reasons, if keys are not returned at the time of check out the locks to your assignment will be changed. The cost of the lock change will be billed to your Ubill.

**Your keys and ISUCard are issued to you for your use only. You may not give these items to others and keys may not be duplicated.**

To keep you, your roommates, and your belonging safe, **always lock your door** — even if you are only leaving for a short time. You should always have your keys and ISUCard with you when you leave your room.

Frequently Asked Questions:

**What if I have TEMPORARILY misplaced my ISUCard?** Visit your Hall Desk or Apartment Community to check out a Temp Access Card. Temp Cards can be checked out for a period of no more than 7 days.

**What if my ISUCard is lost / stolen?** Immediately report the loss of your ISUCard in AccessPlus under ISU ID’s or to the ISUCard office, 0530 Beardshear Hall, 515-294-2727. You can then visit the ISUCard Office to receive a replacement.

**What if my ISUCard is broken?** Take your damaged card to the ISUCard office in Beardshear Hall. Staff will review the card to determine if a free replacement is needed.
Access to Department of Residence Housing Facilities

What if my key is broken? Take your damaged key to your Hall Desk or Apartment Community Office. Staff will review the key to determine whether or not you will charged for a replacement. Broken keys result in a charge only if the break is intentional. Broken keys do not result in a charge if the key damage is limited to bending or shearing.

What if I have TEMPORARILY misplaced my keys or lock myself out of my room? Visit your Hall Desk or Apartment Community to check out a Loaner Key. Loaner keys can be checked out for a period of no more than 7 days. If you do not return the loaner keys to the Hall Desk or Apartment Office by the end of the 7th day, a lock change will be ordered. The cost of the lock change will be billed to your Ubill.

What if I have PERMANENTLY lost my keys? Visit your Hall Desk or Apartment Community to immediately report the loss. For security reasons, lock changes are ordered for all permanently lost keys. The cost of the lock change will be billed to your Ubill.

Maintenance and Repair of University Buildings and Facilities

The Building Maintenance unit of Facilities Planning & Management (FP&M) provides professional, technical, and non-technical support and services to students, staff, faculty and visitors to create and maintain a comfortable, safe, and functional campus environment.

Day-to-Day Building Maintenance and Repair

On a day-to-day basis the building maintenance service teams operate, repair and maintain the university academic, administrative and classroom facilities with support to the area research farms. The total area serviced and maintained is in excess of 15 million square feet.

The teams are a mix of multi-talented, multi-skilled trades personnel experienced in all areas of building mechanical, electrical and building structural systems. The teams respond on an “as needed” basis to building problems and perform routine maintenance and repairs to building systems for corrective measures.

The teams perform prescheduled building preventive maintenance activities to be proactive, insuring that systems are reliable and safe and operating at peek performance to meet the required needs of the university community.

Day to day operations include:

- Routine maintenance and repair of buildings,
- Routine maintenance, repair and operation of building systems,
- Preventative maintenance of buildings, and
- Preventative maintenance of building systems.

Day to day operations are provided Monday through Friday, from 7:30 a.m. to 4:00 p.m.
Custodial and Maintenance Services of Residence Halls

Requests for maintenance and custodial services are generally handled by Department of Residence (DOR) staff. Depending on the nature of the request, assistance may be provided by FP&M, Environmental Health and Safety, or from a University approved outside contractor.

Non-emergency requests for service can be submitted to the DOR Service Center by going to: https://restma.its.iastate.edu/create_pages/main_request_create.html and completing the form.

When submitting a request for services, please keep the following in mind:

- You will receive a confirmation email and reference number. Keep this number to follow-up on your request.
- You must be physically on-campus and within the ISU firewall to submit a request.
- By submitting your request you give DOR staff permission to enter your room/apartment without prior notification. As such, DOR staff will not submit a request on your behalf.
- The Service Center reserves the right to determine the priority of all service requests.

For emergency requests, call the DOR Service Center at 515-294-3322. If calling after hours, you will hear a message with detailed instructions on how to receive assistance.

The DOR Service Center is located at 0347 Helser Hall. The hours are:

- Monday through Friday from 7:00 a.m. to 7:00 p.m.
- Saturday and Sunday from 8:00 a.m. to 5:00 p.m.
- Closed University Holidays

Violence-Free University

The safety and security of the Iowa State University campus and community are very important. Violence, threats or implied threats of violence, and intimidation (verbal or physical acts intended to frighten or coerce) impede the goal of providing a safe environment and will not be tolerated. In addition, abuse of children or dependent adults, or any other vulnerable population is specifically prohibited. All students, employees, and visitors are responsible for reporting violence or abuse they experience or witness.

Students, employees, and visitors should address emergencies by calling 911. For all other concerns of violence and abuse that are not emergencies; students, employees and visitors should notify the Iowa State University Police Division at 515-294-4428.

The full university policy may be viewed at: https://www.policy.iastate.edu/policy/violence.
Definition of VAWA Crimes

Dating Violence, Domestic Violence, Sexual Assault and Stalking

The following definitions are provided as part of the *Violence Against Women Act (VAWA)*.

What is Dating Violence?

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition —

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

What is Domestic Violence?

A felony or misdemeanor crime of violence committed — by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

What is Sexual Assault?

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.”

- **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object or oral penetration by a sex organ of another person, without the consent of the victim.

- **Fondling:** The touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

What is Stalking?

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others or suffer substantial emotional distress.

For the purposes of this definition —

- **Course of conduct:** means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
Definition of VAWA Crimes

- **Reasonable person**: means a reasonable person under similar circumstances and with similar identities to the victim.
- **Substantial emotional distress**: means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Jurisdictional Definitions (Iowa Code)

**Dating Violence**: ISU will use the Iowa Code's assault criteria along with relationship factors to determine whether or not an incident constitutes Dating Violence under the Clery Act.

**Domestic Abuse (Violence)**: Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or has cohabitated with the victim as a spouse, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

**Sexual Abuse (Assault)**: Any sex act between persons is sexual abuse by either of the persons when the act is performed with the other person in any of the following circumstances:

1. The act is done by force or against the will of the other. If the consent or acquiescence of the other is procured by threats of violence toward any person or if the act is done while the other is under the influence of a drug inducing sleep or is otherwise in a state of unconsciousness, the act is done against the will of the other.
2. Such other person is suffering from a mental defect or incapacity which precludes giving consent, or lacks the mental capacity to know the right and wrong of conduct in sexual matters.
3. Such other person is a child.

Pursuant to Iowa Code, persons who are asleep, unconscious, incapacitated due to the influence of drugs, alcohol or medication, unable to communicate consent due to a mental or physical condition, and generally any minor under the age of 16 are unable to give consent.

**Stalking**: A person commits stalking when all of the following occur:

1. The person purposefully engages in a course of conduct directed at a specific person that would cause a reasonable person to fear bodily injury to, or the death of, that specific person or a member of the specific person’s immediate family.
2. The person has knowledge or should have knowledge that the specific person will be placed in reasonable fear of bodily injury to, or the death of, that specific person or a member of the specific person’s immediate family by the course of conduct.
3. The person’s course of conduct induces fear in the specific person of bodily injury to, or the death of, the specific person or a member of the specific person’s immediate family.

(See appendix 1 for Iowa Code sections pertaining to domestic abuse, sexual abuse, and stalking.)

**University Policy Definition of Consent**: “Consent between two or more people is defined as an affirmative agreement—through clear actions or words—to engage in sexual activity. The person giving the consent must act freely, voluntarily, and with an understanding of their actions when giving the consent. Lack of protest or resistance does not constitute consent, nor does silence mean consent has been given. Relying solely on non-verbal communication can lead to misunderstanding. Persons who want to engage in sexual activity are responsible for obtaining consent— it should never be assumed. A prior relationship or prior sexual activity is not sufficient to demonstrate consent. Consent must be present throughout the sexual activity—at any time, a participant can communicate that they no longer consents to continuing the activity. If there is confusion as to whether anyone has consented or continues to consent to sexual activity, it is essential that the participants stop the activity until the confusion can be clearly resolved.”
Sexual Misconduct, Sexual Assault, Sexual Harassment, Stalking & Intimate Partner Violence Resource Guide

Iowa State University is committed to fostering an environment in which all members of our community are safe and free from Prohibited Conduct.

Important: This Resource Guide is intended as an overview and summary of Iowa State University’s Sexual Misconduct, Sexual Assault, Sexual Harassment, Stalking, and Intimate Partner Violence Involving Students Policy. The content, information, and definitions provided herein are summary in fashion and do not constitute official University policy. The University’s full policy is available at [https://www.policy.iastate.edu/policy/students/sexualmisconduct](https://www.policy.iastate.edu/policy/students/sexualmisconduct).

Iowa State University does not tolerate sexual misconduct, sexual assault, sexual exploitation, sexual and/or gender-based harassment, sexual intimidation, intimate partner violence, stalking, retaliation, or complicity in any of these acts. These unacceptable behaviors are collectively referred to as “Prohibited Conduct.”

ISU strongly urges all students, faculty, staff, and third parties to promptly report all incidents of Prohibited Conduct. ISU will respond in a reasonable and appropriate manner to all reports of Prohibited Conduct. In appropriate cases, ISU will conduct a prompt, fair, and impartial investigation and adjudication of complaints and, where appropriate, issue interim and/or final remedial measures. Individuals who, alone or in concert with others, are found responsible for participating or attempting to participate in Prohibited Conduct will be subject to disciplinary action up to and including expulsion or termination, notwithstanding any action that may or may not be taken by civil or criminal authorities.

Retaliation against anyone who makes a good faith report of Prohibited Conduct, who opposes in a reasonable manner an act believed to constitute Prohibited Conduct, or who participates in an investigation or adjudication related to Prohibited Conduct, is strictly prohibited. All ISU students, employees, and campus community members have access to Confidential Resources whom they may use for support and guidance regardless of whether they make a report to the University or participate in a University or law enforcement investigation.

ISU also prohibits all forms of discrimination and harassment on the basis of age, color, creed, disability, gender identity, genetic information, national origin, pregnancy, race, religion, sex, sexual orientation, and/or U.S. veteran status (collectively referred to as “Protected Status”) in its programs, activities, and/or employment. Concerns regarding discrimination and harassment are addressed by the University’s Discrimination and Harassment Policy, available at: [https://www.policy.iastate.edu/policy/discrimination](https://www.policy.iastate.edu/policy/discrimination).

Individuals can make a report and/or seek guidance from ISU’s Title IX Coordinator and Office of Equal Opportunity (OEO) staff in person, by telephone, by email, or online (3410 Beardshear Hall, 515-294-7612, eoffice@iastate.edu).
Violence Resource Guide (continued from page 26)

Policy Definitions

Complainant: Refers to an individual who reports experiencing any form of Prohibited Conduct, and is ordinarily named in a complaint.

Respondent: Refers to an individual who is responding to a complaint, and is the individual who has been accused of engaging in Prohibited Conduct.

Sexual assault: Any sexual penetration and/or sexual contact without consent. This may include force and/or nonphysical forms of pressure that compel individuals to engage in sexual activity against their will. Sexual contact includes any intentional touching of a person’s sexual or other intimate body parts.

Sexual exploitation: Any act where one person violated the sexual privacy of another or takes unjust or abusive sexual advantage of another without consent.

Sexual and/or gender based harassment: Unwelcome behavior (verbal, written, physical) that is directed at someone because of that person’s sex, gender, sexual orientation, or gender identity that creates a hostile, intimidating, or offensive environment.

Sexual intimidation: Involves threatening to commit a non-consensual sexual act upon another person or threatening physical violence against another person because of that person’s sex, sexual orientation, gender, or gender identity.

Intimate partner violence: Any act of violence or threatened act of violence that occurs between persons who are involved or have been involved in a sexual, dating, spousal, domestic, or other intimate relationship.

Stalking: A course of conduct (i.e., more than a single act) directed at a specific person that would cause a reasonable person (under similar circumstances and with similar identities to the Complainant) to fear for their own safety or the safety of others or suffer substantial emotional distress.

Complicity: Any act taken with the purpose of aiding, abetting, facilitating, promoting, or encouraging the commission of an act of Prohibited Conduct by another person.

Retaliation: Any adverse action or threat of adverse action taken against a person or group of persons making a good faith report of Prohibited Conduct, for opposing in a reasonable manner an act believed to constitute Prohibited Conduct, or for participating in an investigation or adjudication of Prohibited Conduct.

Consent: An informed, voluntary, and active agreement expressed through affirmative words or actions, and mutually understandable to all parties involved, to engage in a specific sexual act at a specific time.

- Consent must be, informed, voluntary, and active.
- Consent cannot be obtained by force. Force includes the use of physical violence, threats, intimidation, and/or coercion.
- Consent cannot be obtained by taking advantage of a person who does/did not have the capacity to consent, where the person initiating sexual activity knew or reasonably should have known the other person lacked this capacity.
- Consent cannot be assumed. There must be an affirmative expression through words and/or actions that all parties involved consented to specific sexual activity at a specific time. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other party has consented before engaging in specific sexual activity.

Definitions contained within the state of Iowa Code can be found on page 71.

1 The information and definitions contained in this resource guide are abbreviated and in summary form only. Individuals must consult the University Sexual Misconduct Policy for complete definitions, available at http://www.policy.iastate.edu/policy/students/sexualmisconduct.
If you believe that you have experienced Prohibited Conduct, you have options.

Options and Considerations

- In an emergency, call 911. 24/7 crisis support is available at 1-800-203-3488 (ACCESS Hotline).

- For your safety and well-being, immediate medical attention is encouraged. Medical professionals can treat any injuries, treat for sexually transmitted infections, obtain emergency contraception, and/or collect evidence using a sexual assault examination kit. A medical forensic exam is generally viable within 120 hours (5 days) after an incident but is most effective when performed as soon as possible after an incident. Individuals can contact medical professionals directly and/or the University’s Title IX Coordinator is available to assist in this process.

- Confidential resources (both on– and off-campus) are available to discuss your options, well-being, and support services. See pages 37-38 for a list of confidential resources.

- Even after the immediate crisis has passed, consider seeking professional counseling and the support of on– and/or off-campus support service such as a sexual assault recovery center or domestic violence safe house. This can help you recover from psychological effects and provide a safe environment for recovery. Contact information for ACCESS of Story County and ISU Counseling Services can be found on page 37.

- Victims of any sexual misconduct incident that might constitute a crime have the option and are encouraged to contact local law enforcement authorities. Individuals can contact law enforcement directly and/or the University’s Title IX Coordinator is available to assist in this process. See page 39 for law enforcement contact information. Law enforcement can also speak with you about the preservation of evidence.

- Preserve any evidence you have in case you decide to report the incident at a later time.

- Anyone with knowledge about an incident of Prohibited Conduct is encouraged to report it to ISU’s Title IX Coordinator or a Deputy Title IX Coordinator. See page 40 for contact information. Responsible Employees of the University are required to report such incidents to the Title IX Coordinator.

Preserving Evidence

ISU encourages individuals who have experience Prohibited Conduct to preserve evidence to the greatest extent possible. Even if you are unsure about pursuing internal University and/or external law enforcement action, you are encouraged to preserve evidence. Some suggestions include the following:

- Preserve evidence of electronic communications, such as text messages, pictures, and/or social networking pages, by saving them and/or taking screen shots.

- If there is suspicion that a drink may have been drugged, inform a medical provider and/or police as soon as possible so they can collect evidence (e.g., from the drink, through urine or blood sample).

- Because evidence that may be located on the body can dissipate quickly, consider going to a medical facility immediately to seek a medical exam. If possible, do not shower, brush teeth, use the bathroom, or eat before seeking medical attention.
• It may be helpful to gather bedding, linens, or unlaundered clothing and any other pertinent articles that may be used for evidence. These articles may be secured in a clean paper bag.

• If you have physical injuries, photograph the injuries or have them photographed with a date stamp on the photo.

• If able, try to memorialize and write down important details.

In Iowa, evidence collection is provided free of charge up to 120 hours after a reported sexual assault incident. For more information about this service, see: https://www.iowaattorneygeneral.gov/media/cms/SAE_brochure_32015_BB113F9D4DE6E.pdf

ISU is Available to Assist You With:

• Connecting with on-campus and off-campus resources, including counseling, health, mental health, advocacy, legal assistance, visa and immigration assistance, student financial aid, LGBTQIA+ Student Services, and other applicable resources and services.

• Filing a police report and/or a complaint with the University’s Office of Equal Opportunity.

Accommodations

ISU has many means of increasing safety, support and accommodation for individuals impacted by Prohibited Conduct. These are accessible and available regardless of whether an individual files a complaint with the University or law enforcement, and are available to Complainants, Respondents, and witnesses. Such accommodations and measures may include, but are not limited to:

• Issuing “restricted contact notices” designed to restrict contact and communication between individuals

• University housing and dining modifications

• Academic modifications and support

• University employment modifications and support

• Referral to resources which can assist with financial aid, visa, and immigration concerns

• Transportation assistance, including the provision of escorts

• Safety planning

• Assistance in obtaining no contact orders or protective orders under Iowa law and honoring such orders

• Assistance in obtaining a sexual assault forensic exam

• Assistance in contacting and filing a report with local law enforcement

• Access to counseling, health, mental health, and medical services

• Referral to resources which can assist with advocacy and legal assistance

Contact the Office of Student Assistance and/or the Title IX Coordinator for assistance in obtaining any of these services. See pages 39-40 for contact information.
You may choose whether to report Prohibited Conduct to law enforcement, ISU, both, or neither.

About Reporting

- Internal University Prohibited Conduct investigations can occur at the same time as law enforcement investigations.

- ISU can help you file a police report and obtain and enforce no contact orders entered by a State civil or criminal court, if you request such assistance.

- Reporting to law enforcement does not obligate you to testify in court.

- To encourage reporting and honest disclosure during the investigation process, the University generally does not hold Complainants, Respondents, and/or witnesses accountable for non-negligent student code violations (including alcohol or drug possession related violations) that may have occurred at the time of the reported Prohibited Conduct.

- All reports are handled in a sensitive and private manner. Information is shared only with those University employees who need to know in order to assist in the investigation and/or resolution of the matter.

- ISU prohibits retaliation of any kind as a result of an individual making a report or participating in an investigation of a report.

- ISU employees who have been designated Responsible Employees are required to report Prohibited Conduct concerns to the Title IX Coordinator.

- There is no time limit as to when an incident may be reported; however, to promote timely and effective review, the University strongly encourages the filing of reports as soon as possible.

- If you request that your name not be revealed or ask that ISU not investigate your report, this request normally can be respected. However, such requests may substantially limit the University’s ability to respond fully to the incident, including pursuing disciplinary action. In some instances, the University may not be able to respect such requests in order to provide a safe and non-discriminatory campus environment.
Reporting Options

In the event of an emergency, call 911 for assistance.

You have the right to pursue civil and/or criminal remedies off-campus through law enforcement and the criminal justice system. This includes filing a criminal complaint or petition for a civil protection order. You also have the right to decline to notify law enforcement authorities. See page 39 for ISU Police Department and Ames Police Department contact information.

You have the right to report an incident to the University and request accommodations and/or a University Investigation by contacting the Title IX Coordinator. Anyone who has a concern about Prohibited Conduct, and anyone who has knowledge about possible Prohibited Conduct, is strongly encouraged to immediately report it to the Title IX Coordinator. See page 40 for contact information.

While anonymous reports are accepted and will be reviewed, the University’s ability to address and respond to anonymous reports in significantly limited. Ordinarily, disciplinary measures are not possible in response to anonymous reports. See pages 37-40 for reporting options.

Privacy & Confidentiality

ISU handles Prohibited Conduct reports discreetly and protects parties’ privacy. Information is shared only with those who need to know in order to investigate and resolve the matter. Generally, however, University offices and employees cannot promise complete confidentiality, and the University may be required to act in situations that present a possible threat to an individual or the campus community.

Some resources (on- and off-campus) are able, with very limited exceptions, to maintain complete confidentiality with respect to reports of Prohibited Conduct. This means that these resources will not share with anyone (including law enforcement, University officials, or anyone else) any information relating to reports of Prohibited Conduct, including information that identifies or might be used to identify persons related to reports of Prohibited Conduct, unless the speaker consents to the disclosure in writing, or where there is an imminent threat to the safety of the speaker or others, or the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18. These confidential resources are identified on pages 38-39 of this resource guide.

During the investigation and resolution process, all parties are expected to keep the information related to the investigation and resolution process private, to the extent consistent with applicable law. This means that the parties involved in the process (Complainant, Respondent, witnesses and advisors) should not discuss the matter or share written materials related to the matter with anyone, unless it is necessary to receive advice and counsel. For example, parties may discuss the matter with advisors, legal counsel, health professionals, family members, and/or support persons.

What if a person does not want ISU to investigate or doesn’t want their name disclosed?

In cases where an individual reporting Prohibited Conduct does not wish to proceed with an investigation, or does not want their name disclosed, the University will attempt to honor that request. However, in some cases, the University may determine that it needs to proceed with an investigation based on concern for the safety or well-being of the broader University community (e.g., risk of future acts of sexual violence or a pattern of Prohibited Conduct).
Violence Resource Guide (continued from page 31)

If the University determines that it must investigate a report despite an individual’s request to the contrary, the University will inform the individual prior to initiating the investigation and will implement all necessary remedial and protective measures.

If you are unsure about whether you want to make a report or proceed with an investigation, a confidential resource can help you explore your options and provide additional resources, support and information. See pages 37-38 for a list of confidential resources.

Reporting Obligation

The University strongly urges all students, faculty, staff, and third parties to promptly report concerns of Prohibited Conduct, including sexual misconduct, discrimination, and harassment, to the Title IX Coordinator and the Office of Equal Opportunity.

University community members who have been designated Responsible Employees are required to immediately report information they learn concerning Prohibited Conduct to the Title IX Coordinator or a Deputy Title IX Coordinator. See page 40 for contact information.

Responsible Employees include any employee who has authority to take action to redress sexual violence; who has been given the duty of reporting incidents of sexual violence or any other misconduct to the Title IX Coordinator; or whom a student could reasonably believe has this authority or duty. Additional information about Responsible Employees is available at: https://www.policy.iastate.edu/policy/students/sexualmisconduct (Responsible Employees).

At ISU, Responsible Employees include, but are not limited to:

- All instructors, including full-time professors, adjuncts, lecturers, adjunct instructors, and any others who offer classroom instruction or office hours to students;
- All advisors;
- All coaches, trainers, and other athletic staff that interact directly with students;
- All student affairs administrators;
- All residential hall staff;
- All employees who work in offices that interface directly with students; and
- All supervisors and University officials.

Confidential Employees (those specifically identified on campus as mental health counselors, those working in campus health care centers, and victim advocates) do not have an obligation to report information known to them, and student may speak to them with anonymity if desired. Confidential Employees will not share personally identifying information with others without an individual’s written consent. See pages 37-38 for a list of confidential resources.
Violence Resource Guide (continued from page 32)

Complaint Investigation and Resolution

When the University receives a report of a potential incident of Prohibited Conduct, the University’s Title IX Coordinator, in the Office of Equal Opportunity (OEO), schedules a meeting to discuss the concern with the Complainant and discuss the Complainant’s rights, resources, and responsibilities. If the Complainant files a formal complaint, or if the Title IX Coordinator determines that a formal complaint is appropriate, the University will initiate a prompt, thorough, fair, and impartial investigation and resolution process.

After meeting with the Complainant, OEO will notify the Respondent (i.e., the person accused of misconduct) of the complaint and schedule a time to meet to discuss the allegations, the investigation and resolution process, and the Respondent’s rights, resources, and responsibilities.

University investigations are conducted by professional investigators who are trained in investigating sexual misconduct matters. During an investigation, the University does not take sides. The assigned investigator acts as a neutral fact-finder who attempts to gather all relevant information reasonably available regarding the alleged incident. Generally, this includes interviewing the Complainant, Respondent, and any witnesses who are identified during the course of the investigation, as well as gathering available documentary, electronic, and physical evidence.

All parties in an investigation have corresponding rights, including the equal right to participate in the investigation, be accompanied by two advisor/support persons throughout the process, identify witnesses, provide evidence, review and comment on the investigative report, participate in any hearing (if necessary), provide an impact statement, and appeal final determinations and sanctions (if necessary).

At the conclusion of the investigation process, the parties meet with an appropriate University administrator in order to review the outcome of the investigation and discuss the applicable adjudication process (if applicable). All determinations of responsibility and, if necessary, any sanctions, are made following a hearing before a Student Conduct Hearing Board (SCHB). Determinations regarding responsibility are made based on the preponderance of evidence standard (“more likely than not”). A flow chart of the Prohibited Conduct complaint resolution process can be found on page 35.

Timeline

In all cases, the University will take prompt, fair, and appropriate steps to investigate reports and stop, prevent, and remedy the impact of any Prohibited Conduct. The University cannot guarantee a definite timeframe for this process, but in all matters the University will make a good-faith effort to complete a fair and impartial investigation in a timely manner based on the totality of the circumstances present. Factors that may impede the timing of the process include the complexity and severity of the matter, the number and availability of witnesses, or the need to identify and acquire physical or other evidence.

Advisors

All parties to an investigation, including the Complainant, the Respondent, and any witnesses, are entitled to be accompanied and assisted by any two persons of their choosing and at their own expense at both formal and informal meetings, investigation interviews, and any necessary hearings. These persons are referred to as “advisors” or “support persons” during the process.

Support persons and advisors are limited to an advisory and supporting role only. While support persons/advisors may provide support and advice, they may not speak on behalf of the parties or otherwise directly participate in, or in any manner delay, disrupt, or interfere with the process.
Violence Resource Guide (continued from page 33)

Interference with an Investigation

Any person who knowingly and intentionally interferes with an investigation or adjudication is subject to disciplinary action. Interference with an investigation/adjudication may include, but is not limited to: attempting to coerce, compel, or prevent an individual from providing information; removing, destroying, or altering evidence relevant to the investigation; and/or providing false or misleading information to an investigator, or encouraging others to do so.

Retaliation is Prohibited

ISU strictly prohibits retaliation against any individual for reporting an incident of Prohibited Conduct, for opposing in a reasonable manner an act believed to constitute Prohibited Conduct, and/or for participating in an investigation or hearing related to a report of Prohibited Conduct.

Retaliation is any materially adverse action or threat of adverse action taken, directly or through others, against an individual because of the individual’s report, or participation in the investigation of a report of misconduct, or objecting to or resisting such misconduct. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from reporting Prohibited Conduct and/or from participating in any investigation or proceeding. Examples of retaliation include, but are not limited to: terminating someone’s employment; reducing a grade; removing someone from an organization; direct or indirect intimidation, threats, or coercion; harassment; or other adverse treatment that is like to deter reasonable people from pursuing their rights.

Concerns of retaliation should be reported to the Office of Student Conduct, the Title IX Coordinator, and/or the Office of Equal Opportunity as soon as possible.
Overview of Investigation and Adjudication Procedures for Formal Complaints of Prohibited Conduct Involving Students:

1. ISU receives a complaint of Prohibited Conduct. The Title IX Coordinator assesses the allegations.

2. If a formal Complaint is initiated, a neutral Investigator is appointed.
   - The Complainant is the person who submits the Complaint and/or is the person allegedly harmed.
   - The Respondent is the person who responds to the Complaint and is the person accused of Prohibited Conduct.

3. The Respondent is notified and given an opportunity to respond.

4. An Investigation is conducted:
   - Witnesses are interviewed
   - Evidence is collected
   - Disputed and undisputed facts are determined
   - A Preliminary Investigative Report is prepared and shared with the Complainant and the Respondent.

5. The Complainant and Respondent have seven calendar days to offer comments and/or clarifications for consideration by the investigator.

6. A Final Investigative Report is prepared and shared with the Complainant, the Respondent, and the Office of Student Conduct (OSC).

7. The parties (Complainant and Respondent) are given the opportunity to meet with OSC to discuss the Investigation, the hearing panel process, and the possibility of an agreed resolution.

8. If no resolution is reached, OSC convenes a Title IX Student Conduct Hearing Board (SCHB).
   - The Complainant and the Respondent may each provide a written statement to the SCHB within 24 hours of the hearing.

9. The chair of the SCHB provides hearing panelists with the Final Investigative Report and any written statements from the parties.

10. The SCHB meets with the Investigator to ask questions relating to the Investigation.
    - Parties may pose questions through the SCHB.

11. The Complainant and Respondent may each appear before the SCHP to provide an oral statement.

12. Following the hearing, the SCHP deliberates and renders a decision, by majority vote, regarding whether the Respondent has violated University policy.

13. If there is a finding of responsibility, the SCHB deliberates regarding an appropriate sanction.

14. The SCHB prepares a written decision and delivers it to the parties simultaneously.
    - All decisions are based on a preponderance of the evidence standard (more likely than not).
How to help someone who tells you about Prohibited Conduct

Individuals who report experiencing Prohibited Conduct often respond in a variety of ways, including anger, sadness, confusion, or withdrawal.

**Listen:** Give the individual your complete attention. Try not to interrupt or discuss your personal history.

**Support:** Offer non-judgmental support and acknowledge the feelings of the individual.

**Refer:** You are not expected to have all of the answers, and it is not your responsibility to fix the problem or determine what occurred. An important part of being helpful is providing the individual with information about options and resources. Please refer individuals to the resources and other options detailed in this brochure. Be sure to report to the Title IX Coordinator if required under the Reporting Obligation section on page 32.

**Do:**

- Thank them for sharing with you
  - Use empathetic listening and ask things like, “What can I do to support you?” and “What can I do to help you right now?”
  - Offer support
  - Offer to accompany them or make a phone call to connect them with resources
  - Provide them with confidential resources

**Do NOT:**

- Say that you know what they are going through
- Ask for details about the incident
- Investigate
- Ask questions that suggest blame, such as “Why were you drinking?” or “Why didn’t you get help sooner?”
- Question whether they are telling the truth
- Offer easy answers, like “Everything will be alright”
- Give advice or insist that they use any particular option (such as going to the police)
- Touch them without their permission
- Take any action that could impede or interfere with an investigation
Confidential Resources

Under Iowa law and University policy, communications with certain individuals are considered completely confidential (or privileged). This means that, with very limited exceptions, any information shared by this party may not be shared with others or used against them. Reports made to confidential resources do not put the University on notice. If an individual wants to put the University on notice of a potential policy or legal violation (including reports of sexual misconduct/assault), they should contact the Title IX Coordinator, a Deputy Title IX Coordinator, ISU PD, or designated Responsible Employee.

Generally, confidentiality/privilege applies when a party seeks services from the following persons:

- Psychological counselor (including counselors at ISU Student Counseling Services)
- Health care provider (including medical professionals at ISU Thielen Student Health Center)
- Victim counselor/advocate, including advocates from ACCESS
- Personal attorney
- Religious/spiritual advisor

Students should always confirm whether confidentiality applies to the communication with the individual with whom they are seeking services. Within the ISU community, the following resources are recognized confidential resources:

ACCESS (Assault Care Center Extending Shelter & Support)
*Provides assistance and advocacy to victims of sexual abuse and domestic violence*  
Ames, Iowa (and other locations throughout Iowa)  
Sexual Assault Crisis Line (24/7): 515-292-5378 or Toll Free 800-203-3488  
Domestic Abuse Crisis Line (24/7): 515-294-0519 or Toll Free 855-983-4641  
Housing/Sheltering Crisis Line (24/7): 515-292-0542 or Toll Free 855-696-2980  
https://www.assaultcarecenter.org

ISU Student Counseling Services
*Provides counseling and mental health services to all ISU students free of charge*  
Student Services Building, Third Floor  
515-294-5056  
http://www.counseling.iastate.edu/counseling

ISU Thielen Student Health Center
*Provides general medical treatment and psychiatry services to all students*  
2647 Union Drive, Iowa State University  
515-294-5801  
http://www.cyclonehealth.org/

Mary Greeley Medical Center
*Provides emergency medical treatment and in-patient services*  
1111 Duff Avenue, Ames, Iowa  
515-239-2011  
http://www.mgmc.org
Violence Resource Guide (continued from page 37)

Student Legal Services
Provides legal advice and assistance to students in a variety of areas, including immigration issues. Not able to represent students in controversies involving the University or other ISU students, but may help students connect to other resources
Memorial Union, Office 0367
515-294-0978
http://www.studentlegal.dso.iastate.edu/

The Legal Aid Society of Story County
Provides legal assistance in civil matters to individuals who cannot afford to hire an attorney in private practice
937 6th Street, Nevada, Iowa 50201
515-382-2471
http://www.legalaidstory.com/

Campus Confidential Resources
By designation of University policy, campus confidential resources are not Responsible Employees in relation to reports of Prohibited Conduct. This means that campus confidential resources do not have obligations to report Prohibited Conduct to the Title IX Coordinator, and will not testify in any formal University proceeding. By visiting with campus confidential resources, an individual agrees that the campus confidential resource will not disclose the contents of their conversation or disclose personally identifiable information, unless given express written permission to do so. This agreement promotes access to resources and support, and helps provide a safe and neutral place for discussing concerns of a sensitive nature. If an individual wants to put the University on notice of a potential policy or legal violation (including reports of sexual misconduct/assault), they should contact the Title IX Coordinator, a Deputy Title IX Coordinator, ISU PD, or designated Responsible Employee. Campus confidential resources can assist you in connecting with these individuals and offices.

Exceptions to confidentiality will be made in cases involving risk of serious harm to self or others and disclosures of child abuse. Please note, campus confidential resources are not protected under Iowa law as confidential or privileged. This means that information shared with a campus confidential resource may be subject to legal subpoena and/or used as evidence in any external judicial or administrative proceeding.

Center for LGBTQIA+ Student Success
Provides programs, services, referrals and resources focused on sexual orientation and gender identity/expression for students at Iowa State University.
Student Services Building, Office 1064
515-294-5433
http://center.dso.iastate.edu/

Margaret Sloss Women’s Center (MSWC)
Provides support and information through educational outreach, appropriate referral services, and a safe space
Sloss House on the ISU Campus
515-294-4154
http://www.mswc.dso.iastate.edu/
Reporting Resources (respects privacy but not confidential)

If an individual wishes to report Prohibited Conduct to the University, they may contact an office below. These offices can also discuss the investigation process, accommodations, services, and other related information.

Office of Equal Opportunity
Coordinates the University’s response to incidents of Prohibited Conduct
3410 Beardshear Hall
515-294-7612
Hotline: 515-294-1222
eooffice@iastate.edu
http://www.eoc.iastate.edu

Office of Student Assistance
Provides assistance in navigating processes and procedures at the University, and helps administer support and resources to students
1010 Student Services Building, First Floor
515-294-1020
studentassistance@iastate.edu
http://www.studentassistance.dso.iastate.edu/

Office of Student Conduct
Provides information on the student code of conduct and adjudication processes, and information regarding restricted contact notices
1010 Student Services Building, First Floor
515-294-1020
http://www.studentconduct.dso.iastate.edu/

Iowa State University Police Department
Provides assistance in emergency situations, help in exploring and filing criminal charges, and assistance in navigating the criminal process for on-campus incidents
Armory Building, Room 55
Emergencies: 911
Non-Emergencies: 515-294-4428
http://www.police.iastate.edu

City of Ames Police Department
Assistance in emergency situations, help in exploring and filing criminal charges, and assistance in navigating the criminal process for off-campus incidents
515 Clark Avenue
Ames, Iowa 50010
Emergencies: 911
Non-Emergencies: 515-239-5133
Resource Guide (continued from page 40)

Story County Attorney’s Office
*Assistance in exploring and filing criminal charges, assistance in navigating the criminal justice process and court procedures, and victim/witness assistance*
Ames Office
126 S. Kellogg
Suite 203
Ames, Iowa 50010
515-232-4185

Title IX Coordinator and Deputy Title IX Coordinators

Individuals may report Prohibited Conduct and/or seek guidance by contacting:

**Margo Foreman, Title IX Coordinator**
Assistant Vice President for Diversity, Inclusion, and Equal Opportunity
Phone 515-294-7612
Email: mforema@iastate.edu

**Adrienne Lyles, Senior Deputy Title IX Coordinator**
Associate Director if Equal Opportunity
Phone 515-294-0044
Email: alyles@iastate.edu

**Dawn Bratsch-Prince, Deputy Title IX Coordinator for Academic Affairs**
AssociateProvost
Phone: 515-294-6410
Email: deprince@iastate.edu

**Sara Kellogg, Deputy Title IX Coordinator for Student Affairs**
Director of Office of Student Conduct
Phone 515-294-1021
Email: skellogg@iastate.edu

**Charles Small, Deputy Title IX Coordinator for Athletics**
Senior Associate Director of Athletics
Phone: 515-357-0168
Email: csmall@iastate.edu

**Judith Strand, Deputy Title IX Coordinator for the Graduate College**
Program Coordinator
Phone: 515-294-5285
Email: jstrand@iastate.edu

**Samone Whitfield, Deputy Title IX Coordinator for Staff**
Program Coordinator
Phone: 515-294-2280
Email: smyork@iastate.edu

**Monica Howard-Martin, Deputy Title IX Coordinator for Veterinary Medicine**
Director of Student Programs
Phone: 515-294-0391
Email: moonward@iastate.edu
Sexual Misconduct Allegations

Sexual Misconduct Allegations Against Students -- Student Disciplinary Regulations (Code of Conduct)

The University has a comprehensive policy to respond to allegations of sexual misconduct against students. The full university policy can be viewed at: https://www.policy.iastate.edu/policy/SDR.

Disclosure of Information to Victims and Next of Kin

Iowa State University will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code) the results of any disciplinary proceeding conducted by Iowa State University against a student who is the alleged perpetrator of such crime or offense. (See Explanation of Rights, Resources and Procedures for Victims and Survivors of Dating Violence, Sexual Assault and Stalking and the Student Disciplinary Regulations (Code of Conduct Policy). Pursuant to the Office of the Registrar’s release of information for deceased students policy, if the victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of notification and may be informed of the results of the disciplinary proceeding.

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Violence Against Women Act both the accused and accuser in these cases are given the results without the need to make a written request.

Sexual Misconduct Allegations Against Faculty – Faculty Conduct Policy

The University has a comprehensive policy to respond to allegations of sexual misconduct against faculty members that can be viewed at: https://www.provost.iastate.edu/faculty-and-staff-resources/faculty-handbook. Chapter 7 of this handbook deals with faculty conduct policy.

Sexual Misconduct Allegations Against Staff -- Discrimination and Harassment Policy

The University has a comprehensive policy to respond to allegations of sexual misconduct against staff members. The full university policy can be viewed at: https://www.policy.iastate.edu/policy/discrimination.

Protecting Victims’ Identities

A victim’s personally identifying information will not be included in any publicly available recordkeeping, including Clery Act reporting and disclosures such as timely warnings, ISU alerts, the ISU Annual Security and Fire Safety Report and the daily crime log. Personal information includes but is not limited to: first and last names, a home or other physical address, postal address, e-mail address, internet protocol address, telephone or facsimile number, social security number, driver’s license number, passport number, student identification number, date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

Sex Offender Registry

Iowa law requires a person convicted of a sex offense crime to register with the sheriff in his/her county of residence; if the person works for an institution of higher education, they must register with the sheriff in the county in which the institution is located. To obtain information regarding registered sex offenders in Story County, contact:
Story County Sheriff’s Office
1315 South B Avenue
Nevada, IA  50201
Phone:  515.382.6566
To access the statewide sex offender registry, visit: www.iowasexoffender.com.
Alcohol, Drugs and Other Intoxicants

Complete Policy - The full Iowa State University policy regarding alcohol, drugs and other intoxicants can be viewed at: https://www.policy.iastate.edu/policy/drugs. The following provides brief statements on these policies.

Alcohol Possession or Consumption - The possession or consumption of alcoholic beverages on the Iowa State University campus will be permitted in accordance with state law. Pursuant to the Board of Regents policies, the consumption of alcoholic beverages on the campus will generally be permitted only where approved by the Senior Vice President for University Services.

Possession and consumption of alcoholic beverages is permitted in university housing according to the policies established by the Department of Residence and only for those persons having attained drinking age as stipulated in the laws of the State of Iowa. These policies may be found in the 2017-2018 Policy Handbook for Residence Halls and University Owned/Operated Apartments.

Drugs and Other Intoxicants - Drugs that are not legally available shall not be used, possessed, sold, or distributed on campus. Moreover, the unauthorized distribution of prescription drugs on the campus by a person to another person is prohibited. Misuse of drugs and other intoxicants is also prohibited.

Additionally, there are policies governing the use of alcoholic beverages by students and student organizations on university property that can be viewed at: https://www.policy.iastate.edu/policy/alcohol. Iowa State University is committed to maintaining an environment conducive to healthy lifestyles, including the academic and personal development of all members of the university community. Members of the university community are accountable for their own actions and are expected to make responsible, lawful decisions regarding the use of alcohol. Iowa State University encourages students to hold substance free events and programs.

For the text of jurisdictional laws governing the possession, sale, and consumption of alcoholic beverages and controlled substances see appendix 1 and the chart depicting federal trafficking penalties for Schedules I, II, III, IV and V controlled substance.
Educational Programming

Educational Programs Offered by ISU Police

The University seeks to enhance the security of its campus and members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. A description of those programs and their frequency of presentation follows.

(Violent Incident Response Training) VIRT

Violent incidents in society, while rare, can seem like they are becoming more mainstream around the nation and world. It is unfortunate we have to discuss a subject of this nature; however, Iowa State University and the ISU Police Department believe your safety is the most important responsibility with which we are charged.

VIRT utilizes the Avoid, Deny, Defend technique. This is a flexible set of principles that may be adapted to any violent encounter. Preparation is key for any situation we face in life; the more prepared we are, the better we perform. The goal of this training is to begin your mental preparation of recognizing, assessing, and responding to threats against you.

Society has trained us to react to fires, earthquakes, tornados, floods, and other types of disasters. This program is no different. By studying what has worked in past violent incidents around the world, it has been found that certain techniques work and others don’t. This training is not designed to scare you into thinking there is a violent situation lurking around every corner. It is designed to provide you with options should you be in a violent situation.

Recognizing and Reporting Disturbing Behavior (RRDB)

This training is sometimes referred to as a precursor to VIRT, in that the warning signs or “red flags” observed can help to mitigate the tragedies that have become all too common in this day and age. The presentation is delivered via PowerPoint, and the length depends largely on audience interaction and participation. Many of the principles taught during VIRT are touched on with this presentation as well, but RRDB will deal more with creating awareness as well as ways to mitigate potential acts of violence from happening before the onset of the problem(s) become(s) too unmanageable. Proactive approaches are stressed over reactive ones. Just like in VIRT, information is the best weapon against violence. Information provides knowledge, which provides options for survival during a crisis. The only bad reaction is no reaction at all.

SART

The Story County SART (Sexual Assault Response Team) consists of specially trained professionals from multiple agencies who work together to provide a community coordinated response to reports of sexual assault. Members of SART represent the fields of law enforcement, health care, advocacy, and prosecution and are employed in the public and private sectors (university, city and county governments, medical clinics, and non-profits). Informational programing on sexual assault response and related topics is provided upon request.

Personal Safety and Situational Awareness

In today’s society, people need to be aware that they are responsible for their own safety. This course defines situational awareness, levels of situational awareness, scanning strategy, comprehension, understanding your surroundings, and mindset training.

The course also covers factors affecting loss of awareness, OODA Loop (observe, orient, decide and act), response options, threat assessment principles, and both general and specific safety tips.

Departmental Information

The purpose of this presentation is to educate our community regarding the services ISU Police offer. While the program is personalized to each audience, consistent themes include: how to report crimes on campus; ISU Police law enforcement authority on and off campus (including alcohol and drug laws); and resources available to victims.
International Student Orientation
Our international student orientation program covers departmental information, personal safety, harassment and assault, protecting your property, identity theft, online safety, crime prevention, driving laws, alcohol laws, ISU Alert, contacting law enforcement, bystander intervention, and reporting suspicious and concerning behavior, ISU Police safety services, liaison programming, and outreach services.

New Student Orientation
This presentation is done in partnership with the Dean of Students Office. The presentation covers services and contact information, ISU Police departmental information, crime prevention, safety tips, ISU Alert, bystander intervention, reporting suspicious and concerning behavior, ISU Police safety services, liaison programming, and outreach services.

New Employee Orientation
The presentation covers services and contact information, ISU Police departmental information, ISU Alert, and reporting suspicious and concerning behavior.

Self Defense/Defensive Tactics
This presentation is typically taught by ISU Police Defensive Tactics Instructors. This one-hour program provides a common sense blend of threat avoidance, resistance, and mindset training meant to improve self-awareness and build confidence.

In today’s society, people need to be aware that they are responsible for their own safety. This course defines situational awareness, levels of situational awareness, scanning strategy, comprehension, understanding your surroundings, and mindset training.

The course also covers factors affecting loss of awareness, OODA Loop, response options, threat assessment principles, and both general and specific safety tips.

Social Media
This presentation covers the potential dangers of social media use, while including safety tips and things to consider when using social media. This presentation covers the different types and kinds of social media and the potential for danger, like cyber bullying, stalking, harassment, invasion of privacy, and sexual exploitation.

How Not to Get Arrested/Alcohol and Drugs
This presentation covers the concerns surrounding alcohol and drugs that our department encounters. The discussion begins with an overview of the penalties and risks associated with underage alcohol possession and consumption. Stemming off of this is a discussion about appropriate interaction with law enforcement including the use of false identification, interference with official acts, and harassment of a public official. Concerning behaviors leading to public intoxication arrests are shared and an emphasis is put on our attention to the long-term safety of the subject. Finally, the dangers and fines associated with operating while intoxicated are discussed. Participants are reminded that, despite laws in other states, marijuana is still largely illegal in Iowa. A brief discussion about the types of drugs present on campus and in our community is followed by advice on how to respond should students observe illegal drug activity taking place.

All the above presentations are provided upon request or as required by the University.
### Educational Programming

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## Educational Programming

### 2017 ISU Police Outreach Presentations

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# Educational Programming

## 2017 ISU Police Outreach Presentations

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# Educational Programming

## 2017 ISU Police Outreach Presentations

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**Total Presentations = 300; Total attendees = 48,499**
Drug and Alcohol Prevention Programs

The following information on prevention and education is from the Biennial Review of Iowa State University’s Alcohol and other Drugs Program Elements. This Review is to comply with the Drug-Free Schools and Communities (Campuses) Act Amendments of 1989.

Alcohol EDU is an online alcohol risk reduction program that is required for all first-year students entering Iowa State from high school. Alcohol Edu was developed in collaboration with leading prevention experts and researchers. The interactive content has been guided by recommendations form the National Institute of Alcohol Abuse and Alcoholism (NIAAA); informed by emerging research on evidence-based practice (e.g., social norms approach, bystander intervention); cited as a top-tier strategy by NIAAA in their CollegeAIM Matrix; and is the most widely used universal online alcohol/other drug prevention program since its development in 2000.

During the 2016-2017 academic year, 5,237 new, direct from high school students entering Iowa State completed this online program.

The Department of Residence (DOR) provides a variety of alcohol free programming throughout the year. DOR makes a conscious effort to provide these programs during times of the week/semester/year when alcohol and other drug consumption is expected to be higher (such as tailgating, spring break, etc.). The DOR partners with other campus departments, including ISU Police to provide programming that is relevant and fun. These programs have traditionally been well attended. Below are examples of events that have been used as alcohol free programming. The DOR has allocated specific funds, available to student staff, for late night alcohol-free programming.

- **ISU After Dark** is a late night, substance free alternative program offering numerous activities, food, entertainment, crafts, bowling, billiards and more. It is free to ISU students, and offered 3 times per semester, 6 times per year, on a Friday from 9 p.m. to 1 a.m. For the past three years, attendance has averaged 2,000—2,500 participants per night.
- **Cyclone Cinema** is a cost-free campus movie program offering blockbuster or Oscar nominated films on Thursday through Sunday nights throughout the fall and spring semesters. Discounted concessions are also available for purchase. Each year there are over 27,000 participants.
- **Paint Your Own Pottery/Drop-In Crafts** is offered every Friday from 2-8 p.m., not including holidays and breaks. Participants choose a piece to paint or a themed craft activity such as sharpie mugs or water color painting. There is a small fee to participate which is discounted for ISU students. The average attendance has been 25-50 people weekly.

In addition to the prevention programs offered by the DOR, Greek fraternity and sorority residences registered 416 dry events during the 2016-2017 academic year.

**Party Like a Cyclone** is an initiative in collaboration in partnership with the Student Wellness Center of Iowa State University and the City of Ames. The purpose is to provide information to “party throwers” and “party goers” to reduce the risk of alcohol related consequences. Information provided includes state and city of Ames laws and ordinances relating to alcohol and host duties.
**Drug and Alcohol Prevention Programs**

**Peer Wellness Educators** are available from the Wellness Center. They strive to work with students, staff, and faculty to enhance student success by increasing access to wellness information, teaching life-enhancing skills, and advocating for environmental change to build a culture of well-being at ISU. This is accomplished by:

- Providing health education to students by facilitating programs to students and disseminating other health information to educate students on campus.
- Working with other students, faculty, and staff to advocate for environmental and policy changes that support student success and well-being.
- Planning, implementing, and evaluating evidence-based strategies to address health, wellbeing, and safety on campus.
- Striving to reach all students with wellness information by connecting with other students in their spaces to answer questions, provide information, and get them connected to resources.
- Creating and disseminating wellness messages and campaigns to students on various wellness topics.
- Collaborating with student organizations and other groups to build capacity and a culture of wellbeing at ISU.

The Wellness Center is also establishing a Collegiate Recovery program to foster a sense of community within a population that is focusing on recovery from drug and alcohol abuse.

The Thielen Student Health Center offers alcohol risk reduction programs through its program ISU **Prevention Services**. Group presentation facilitation is available to groups upon request.

The DOR spends a significant amount of time training Community Advisers (CAs) on addressing policy violations and specifically alcohol and other drug related offenses. The DOR also partners with the ISU Police to assist CAs in identifying drugs. CAs are also trained in basic first aid and medical response, including finding a student who has over consumed alcohol or other drugs.

The Office of Student Conduct offers presentations that are specific to alcohol and other drugs, with a specific focus on the Greek Community, ISU Orientation, Academic Program for Excellence, and student athletes.

The Iowa State Athletics Department focuses a substantial amount of time to educating athletes about alcohol and other drug use. Several educational opportunities are targeted toward student-athletes, including:

- Summer Bridge program on drugs and alcohol education and decision making.
- University Studies 101D including alcohol and decision making, and mentors in violence prevention.
- Athletic Prevention Programming and Leadership Education (APPLE) Conference is national training dedicated to substance abuse prevention and health promotion of collegiate student-athletes.
- Annual team meetings are held by the Compliance Office to review University, Big 12 and NCAA drug testing policies, as well as coach and team rules.
- Campus prevention and education events and training opportunities are promoted by the Athletics Department to its student athletes.
- Speakers are engaged to share experiences regarding the dangers of drug and alcohol abuse.
University Policy on Fire Safety
Environmental Health and Safety (EH&S) oversees fire safety and prevention programs at ISU, which include identification of fire hazards, enforcing fire prevention rules, fire emergency planning, and fire/incident investigations. Iowa State University’s fire safety policy can be viewed at: https://www.policy.iastate.edu/policy/firesafety. For the purposes of fire safety reporting, a “fire” is defined as any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

The use of candles and open flames is not allowed in campus buildings, on university grounds, or in association with university-sponsored events or functions, with few exceptions. Policy regarding candles and open flames can be found at: https://www.policy.iastate.edu/policy/candles. Additionally, possession and use of fireworks and incendiary devices is forbidden unless specifically approved for an ISU-related event held by a sponsoring organization. Small portable electrical appliances are allowed as long as they are used for their intended use and plugged in properly.

It should also be noted that the entire university grounds and properties of Iowa State University have been designated as a Smoke-Free Campus. This policy has been extended to include electronic smoking devices and can be viewed at: https://www.policy.iastate.edu/policy/smoking.

Periodically, inspectors from the State Fire Marshal's Office conduct fire safety audits of campus and residential buildings for compliance with state building codes. EH&S coordinates the correction of cited deficiencies and performs follow-up inspections. ISU employees are required to cooperate with Fire Marshal inspections and comply with fire safety and building code requirements.

All fires and fire hazards must be reported to EH&S.

Department of Residence Policy on Fire Safety
It is the policy of the university to be in compliance with the Higher Education Opportunity Act (HEOA) Fire Safety Regulations for all on-campus student housing facilities. ISU's Department of Environmental Health and Safety and the Department of Residence have established fire safety procedures consistent with HEOA regulations. All university personnel, students and visitors must follow university fire safety procedures; including those established by the Department of Residence.

Report Fires Occurring in Department of Residence Facilities to:
Nick Swanson
0341 Helser Hall
Phone: 515-294-9792 or E-mail: nswan@iastate.edu
Annual Fire Safety Report – ISU Campus

Sprinkler Systems

These are inspected quarterly by a certified building sprinkler inspection company. Hood suppression systems that are located in the kitchens for ISU Dining and residence hall kitchenettes are inspected twice a year. Residents are reminded to not hang items from sprinkler heads in their rooms. The following table illustrates the sprinkler status of the residential buildings located on the Iowa State University campus property.

<table>
<thead>
<tr>
<th>Building(s)/Addresses</th>
<th>Total Sq. Ft.</th>
<th>Sq. Ft. Sprinkled</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barton Hall—260 Richardson Court</td>
<td>73,820</td>
<td>73,820</td>
</tr>
<tr>
<td>Lyon Hall—358 Carrie Lane Court</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freeman Hall—315 Carrie Lane Court</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Birch Hall—244 Richardson Court</td>
<td>118,516</td>
<td>118,516</td>
</tr>
<tr>
<td>Welch Hall—380 Carrie Lane Court</td>
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<td></td>
</tr>
<tr>
<td>Roberts Hall—372 Carrie Lane Court</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buchanan Hall—2160 Lincoln Way</td>
<td>93,739</td>
<td>93,739</td>
</tr>
<tr>
<td>Eaton Hall—135 Beyer Court</td>
<td>84,000</td>
<td>84,000</td>
</tr>
<tr>
<td>Frederiksen Court Apts.—Hawthorn Court Drive</td>
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<td>499,928</td>
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<tr>
<td>Friley Hall—2424 Union Drive</td>
<td>364,149</td>
<td>364,149</td>
</tr>
<tr>
<td>Helser Hall—221 Beyer Court</td>
<td>150,605</td>
<td>150,605</td>
</tr>
<tr>
<td>Geoffroy Hall—2152 Lincoln Way</td>
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<td>182,484</td>
</tr>
<tr>
<td>Larch Hall—135 Student Affairs L Road</td>
<td>101,228</td>
<td>101,228</td>
</tr>
<tr>
<td>Legacy Towers—119 Stanton Avenue</td>
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<td>186,391</td>
</tr>
<tr>
<td>Linden Hall—218 Richardson Court</td>
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</tr>
<tr>
<td>Maple Hall—204 Beach Road</td>
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</tr>
<tr>
<td>Martin Hall—131 Beyer Court</td>
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</tr>
<tr>
<td>Oak-Elm Hall—326 Richardson Court</td>
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<td>137,120</td>
</tr>
<tr>
<td>Schilletter Village Apts.—Edenburn Drive</td>
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<td>N/A</td>
</tr>
<tr>
<td>University Village Apts.—Stotts Road</td>
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<td>N/A</td>
</tr>
<tr>
<td>Wallace Hall—917 Welch Road</td>
<td>103,778</td>
<td>103,778</td>
</tr>
<tr>
<td>Willow Hall—213 Student Affairs L Road</td>
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</tr>
<tr>
<td>Wilson Hall—926 Hayward Avenue</td>
<td>103,778</td>
<td>103,778</td>
</tr>
</tbody>
</table>

Fire Extinguishers  State Code requires that every campus building contain fire extinguishers, and they are located throughout the residence halls and inspected and maintained yearly by ISU Environmental Health and Safety. Fire extinguisher training is required on an annual basis.
Annual Fire Safety Report – ISU Campus

Department of Residence Policy on Fire Safety

It is the policy of the university to be in compliance with the Higher Education Opportunity Act (HEOA) Fire Safety Regulations for all on-campus student housing facilities. ISU's Department of Environmental Health and Safety and the Department of Residence have established fire safety procedures consistent with HEOA regulations. All university personnel, students and visitors must follow university fire safety procedures; including those established by the Department of Residence.

Emergency Evacuation

In the event that a fire alarm sounds in your building, please don't panic. Calmly do the following:

- Exit your room, closing and locking your room door behind you.
- Leave the building immediately. Use the stairs if you are on an upper floor. Do not use the elevators.
- If there is smoke in the air, keep low. Smoke heat and toxic gases normally rise to the ceiling.
- Once outside, assemble a safe distance from the building (at least 150 feet).
- Make certain that emergency response personnel and equipment are not blocked from entering the building.
- Try and account for residents and staff known to have been in the building.
- Provide fire and rescue personnel information and location of the fire.
- Do not re-enter the building until the fire department has declared the building safe.

A bright orange Fire/Emergency/Tornado Procedure sticker has been placed on the backs of all student room doors in the Residence Halls, Fredericksen Ct. and Schilletter and University Village Apartments.

Emergency Evacuation of Mobility Impaired Persons

- Some members of the residential community may need help in evacuating the building. We ask that you provide assistance, to the extent you are able, to get these individuals to a safe location.
- Assist the person by helping them move to the nearest marked exit. In case of a fire, do not use the elevator.
- If the person's disability prevents them for exiting the building, they should be left in a stairwell. Stairwell landings will provide temporary shelter from fire and smoke and shall be considered an "Area of Refuge."
- Upon exiting the building, immediately inform fire and rescue personnel of the exact location of a non-ambulatory person that was left in a stairwell or student room. Firefighters will assist persons unable to evacuate.
- Do not re-enter the building until the fire department has declared the building safe.

Mobility impaired students may use the elevator once it is back in operation to return to their room. Hall Directors have the override key to the elevator to return them to service.

Emergency Evacuation Maps

Evacuation maps are posted throughout the residence halls near elevators and entrances and show stairwells and exits. Resident students are expected to learn the location of the exit stairwells and doors and plan more than one exit route.
Annual Fire Safety Report – ISU Campus

Emergency Generators

The Department of Residence has emergency generators for each Residence Hall. In case of a power outage or interruption, these generators provide power to the hallway lights, emergency lighting, exit lights, exhaust fans, dampers, sprinkler pumps, smoke and heat detection system. The generators are tested monthly by Residence Maintenance staff.

Fire Alarms and Drills

Alarm pull stations and fire bells or horns are located in hallways and other common areas throughout the Residence Halls. A building's fire alarm will sound when an alarm station is pulled. The alarm signal is transmitted to the Department of Residence Service Center and ISU Police. ISU Police dispatch will process the signal and then contact the AFD and request that they respond to the building in alarm. Automatic fire alarms are similar in their procedure for emergency response. When a heat or smoke detector is activated automatically, the Service Center and ISU Police are notified electronically through Metasys. ISU Police will then contact the AFD for response. ISU Police Officers will also often respond and be onsite when a building is in alarm. Alarm systems are inspected and tested twice annually by a certified fire alarm inspection company.

Designated rooms in the Residence Halls are equipped with assistive devices such as bed shakers, or strobe lights for students with a disability or physical impairment. These devices are wired into the fire alarm system and will activate when the building goes into alarm. When the buildings alarm system is temporarily out of operation, a firewatch (walking patrol of the building by staff with airhorns and radios to warn residents of a need to evacuate) is maintained until the system is restored.

The Department of Residence conducts a fire drill at the beginning of each semester. Fire drills are announced through postings and at house meetings. The DOR policy handbook states the following:

"You and your guests are required to evacuate the building when a fire alarm is sounded, and reenter the building only when fire department staff gives permission to do so. Failure to do so endangers not only you, but residence and fire department staff as well. If you (or your guests) do not evacuate the building when the fire alarm sounds, or if you (or your guests) re-enter before permission has been granted, you will be held accountable through the judicial system."

Fire Equipment Abuse

The fire alarm system, fire extinguishers, fire department standpipes, sprinklers, and exit lights are installed for your protection. Report immediately to the Service Center (294-3322) any apparent defects in fire safety equipment. Tampering with fire equipment, including the removal of batteries in smoke alarms, the removal of glass box hammers, or tampering with smoke doors and Knox boxes (small boxes attached to the exterior of buildings), is a violation of state law and will lead to university disciplinary action. In the event of any fire extinguisher being used, call the Service Center for recharging and checking, and replacing if appropriate.
## Residence Hall Fire Statistics 2015

<table>
<thead>
<tr>
<th>Residential Facility</th>
<th># of Fires</th>
<th>Cause of Fire</th>
<th># of Injuries Requiring Medical Treatment</th>
<th># of Fire Related Deaths</th>
<th>Value of Property Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barton Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
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</tr>
<tr>
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<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
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<td>N/A</td>
</tr>
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<td>N/A</td>
</tr>
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<td>Helser Hall</td>
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<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Legacy Towers</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Linden Hall</td>
<td>0</td>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
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<td>N/A</td>
</tr>
<tr>
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<td>N/A</td>
<td>N/A</td>
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</tr>
<tr>
<td>Schilletter Apts.</td>
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</tr>
<tr>
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<tr>
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<td>N/A</td>
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</tr>
<tr>
<td>University Village Apts.</td>
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</table>
### Annual Fire Safety Report – ISU Campus

#### Residence Hall Fire Statistics 2016

<table>
<thead>
<tr>
<th>Residential Facility</th>
<th># of Fires</th>
<th>Cause of Fire</th>
<th># of Injuries Requiring Medical Treatment</th>
<th># of Fire Related Deaths</th>
<th>Value of Property Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barton Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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</tr>
<tr>
<td>Lyon Hall</td>
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<tr>
<td>Freeman Hall</td>
<td>0</td>
<td>N/A</td>
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<tr>
<td>Birch Hall</td>
<td>0</td>
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<td>N/A</td>
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<tr>
<td>Buchanan Hall</td>
<td>1</td>
<td>Intentional — burned photo on hallway wall</td>
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<tr>
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<td>Frederiksen Court Apts.</td>
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<td>Helser Hall</td>
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</tr>
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<td>Larch Hall</td>
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<td>Intentional—burned paper on a bulletin board</td>
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<td>Schilletter Apts.</td>
<td>3</td>
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<td>$500 $0 $500</td>
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# Residence Hall Fire Statistics 2017

<table>
<thead>
<tr>
<th>Residential Facility</th>
<th># of Fires</th>
<th>Cause of Fire</th>
<th># of Injuries Requiring Medical Treatment</th>
<th># of Fire Related Deaths</th>
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All policies and procedures of the main campus will apply unless noted below.

The Rome campus does not have on-campus housing facilities.

**Reporting Crimes:** Victims of crime on the Rome campus are instructed to report immediately to the resident director (Pia Schneider) and the Italian police (emergency, call 113). If the crime occurred at a residence, staff and students are instructed to contact the police station at Via Felice Cavallotti in Rome (phone 06 583 9131). The police report must be filed within three months of the date the crime occurred (in the event of a sexual assault, the report must be filed within six months). If you have difficulties filing your report with Italian officials, contact the U.S. Embassy or Consulate (phone 06.46741) immediately or refer to the following website: [https://it.usembassy.gov/u-s-citizen-services/victims-of-crime/](https://it.usembassy.gov/u-s-citizen-services/victims-of-crime/).

**Facilities Hours and Access:** The studio is generally open between 8:00 a.m. and 10:00 p.m. Exceptions to the closing hour will typically be made for the days immediately preceding a major deadline, at the discretion of the program leaders and the resident director.

The studio is a large facility containing diverse spaces that are generally separated from one another. Students and staff are asked to monitor the studios for unescorted visitors and intruders. Students and staff are expected to keep their keys in their possession because the main door remains locked at all times. Only authorized personnel have key access to the facility.

Students and staff are asked to avoid being in the facility alone. The last people to leave the studios should close all windows and terrace doors and assure that the shutter-locks are secured.

**Maintaining Campus Facilities**

The studio spaces and lecture room are cleaned on a regular basis by contracted cleaning personnel. You are asked to keep the floor area around your tables as clear as possible, and take responsibility for cleaning up after yourself before leaving the studio facility each day. Anything on the floor overnight will be considered trash.

**Timely Warnings:** Whenever a situation arises, either on or off campus, that in the judgment of the Resident Director constitutes an ongoing or continuous threat, a campus wide “timely warning” will be issued. This may take the form of an e-mail and/or an announcement made in the classrooms and studios. A second announcement will be made when the threat no longer exists.

**Alcohol Policy:** The consumption of alcohol in the studio is prohibited, with exceptions made only for special group events, such as receptions and exhibition openings.

- The legal age for purchasing alcohol in Italy is 16; however, there is no minimum legal drinking age.
- Applicable Italian laws regarding alcohol include:
  - From 10:00 p.m. to 7:00 a.m.: It is forbidden to sell take away alcoholic beverages, even from automatic machines.
  - From 10:00 p.m. to 7:00 a.m.: It is forbidden to drink alcoholic beverages in glass containers on the streets.
  - From 12:00 a.m. to 7:00 a.m.: It is forbidden to drink alcoholic beverages in any kind of container on the streets.
  - From 2:00 a.m. to 7:00 a.m.: It is forbidden to sell alcoholic beverages.
Drug Policy: Possession of all drugs is prohibited in Italy and punishable by administrative sanctions in instances of personal use and by prison sentences when dealing or trafficking is involved. Refer to the following website for more information: www.emcdda.europa.eu/countries/drug-reports/2018/italy/drug-laws-and-drug-law-offenses_en.

Evacuating the Studios: Should there be a fire, gas leak, flood, or any other emergency compromising the general health and safety of persons present at the Iowa State University College of Design Rome Program and no member of the faculty/staff is present, you must sound the alarm, warn others of the danger and evacuate the building immediately. In case of such emergency, evacuation of the premises is required by the Italian safety code (D.L. 81/08) even in the absence or failure of alarm systems or in the absence of a member of the Rome Program staff or faculty.

- Sound the alarm (located in the corridor next to the telephone, opposite the office). This signifies that everyone must immediately evacuate the premises.
- Check the Evacuation Plan on the wall of each room for a clear indication of escape routes.
- When evacuating, proceed calmly and in an orderly fashion to the nearest accessible exit, following specific instructions of ISU staff or faculty, if present. If no member of the staff or faculty is present, please lead other students and any guests out of the building.
- In case of a fire or explosion, distance yourselves as far as possible from the hazard. Do NOT remain near the building or windows that may explode in shards of glass.
- In a fire, turn off the circuit breaker (on the electrical panel in the corridor).

The primary fire exit is through the front door and down the staircase. The place of secure refuge is the terrace off the back rooms. If both the front exit and the secure refuge are blocked, an alternative route is down the back staircase by the office, which leads to the ground floor and into the piazza.
Crime Statistics for the Rome Campus

This chart depicts offenses reported by officials of the Study Abroad program which is part of the Design College located in Rome, Italy. The Rome police department has jurisdiction for all crimes occurring in or around the University properties and facilities. These offenses are compiled as required by provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

| CRIMES                         | On-Campus Property |     |     |     |     |     |     |     |     | Non-Campus Property |     |     |     |     | Public Property |     |     |     |     | Total |     |     |     |     |     |     |
|-------------------------------|---------------------|-----|-----|-----|-----|-----|-----|-----|-----|---------------------|-----|-----|-----|-----|------------------|-----|-----|-----|-----|-------|-----|-----|-----|-----|-------|-----|-----|-----|-----|-------|
| Murder/Non-Negligent Manslaughter | 0     | 0     | 0     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |
| Manslaughter by Negligence     | 0     | 0     | 0     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |
| Rape                          | 0     | 0     | 0     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |
| Fondling                      | 0     | 0     | 0     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |
| Incest                        | 0     | 0     | 0     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |
| Statutory Rape                | 0     | 0     | 0     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |
| Robbery                       | 0     | 0     | 0     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |
| Aggravated Assault            | 0     | 0     | 0     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |
| Burglary                      | 0     | 0     | 0     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |
| Motor Vehicle Theft           | 0     | 0     | 0     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |
| Arson                         | 0     | 0     | 0     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |
| ARRESTS                       |       |       |       |     |       |       |       |     |     |       |       |       |     |     |       |       |       |     |
| Liquor Law Violations         | 0     | 0     | 0     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |
| Drug Abuse Violations         | 0     | 0     | 0     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |
| Weapon Law Violations         | 0     | 0     | 0     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |
| REFERRALS                     |       |       |       |     |       |       |       |     |     |       |       |       |     |     |       |       |       |     |
| Liquor Law Referrals          | 0     | 0     | 0     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |
| Drug Abuse Referrals          | 0     | 0     | 0     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |
| Weapon Law Referrals          | 0     | 0     | 0     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |
| VAWA CRIMES                   |       |       |       |     |       |       |       |     |     |       |       |       |     |     |       |       |       |     |
| Dating Violence               | 0     | 0     | 0     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |
| Domestic Violence             | 0     | 0     | 0     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |
| Stalking                      | 0     | 0     | 0     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |     | 0     | 0     | 0     |     |

**Hate Crimes:** no hate crimes were reported during calendar years 2015, 2016 or 2017.

**Unfounded Crimes:** no crimes were unfounded in calendar years 2015, 2016 or 2017.
Annual Security and Fire Safety Report - 
Kamuli District, Uganda Campus

All policies and procedures of the main campus will apply unless noted below.

**Reporting Crimes:** Victims of crime on the Uganda campus will report to the “In-Country Safety Officer” or one of the “Assistant In-Country Safety Officers.” All information in reference to criminal activities will be forwarded to the Associate Director of Education Programs who will in-turn notify ISU Police to ensure inclusion in the ISU Annual Security and Fire Safety Report. Crimes occurring on the Uganda campus are reported by the victim or staff member to the campus “Security Officer and Fleet Manager.” The individual in this position contacts the Uganda police to facilitate a criminal investigation.

**Facilities Hours and Access:** The Uganda campus is composed of academic/meeting halls and residence halls. The campus is surrounded by a concrete wall with razor wire mounted on top of the structure. The exit doors from the campus into the greater community are solid metal. The hours the doors are opened are 7:30 a.m. until 5:00 p.m. They hours may be adjusted, depending on the needs of the students, staff and faculty who are residing on campus. The doors are constantly monitored by armed security guards to ensure the safety of campus occupants.

**Timely Warnings/Emergency Notification, Response and Evacuation:** Warnings on the Uganda campus are communicated via whistles, in the case of impending emergencies such as fire or inclement weather. Messages are also relayed via text message to group leaders and students with phones. Less urgent messages are communicated in person during nightly meetings. There are two exits to evacuate the campus; one of the two doors is large enough for vehicular traffic.

**Drugs and Alcohol:** The possession or use of any quantity of illegal substance is strictly prohibited, including marijuana. The consequences of substance abuse or other illegal activity at any time during the program include immediate expulsion from the program, forfeiture of all program fees, loss of academic credit for the program, and total responsibility for the cost of any legal fees and return trip to the intern or student’s permanent home.

No alcoholic beverages will be allowed in the Iowa State University-Uganda Program, CSRL (Center for Sustained Rural Livelihood) and service learning program housing and office facility. Interns and students must follow the rules of Iowa State University – students under the age of 21 are not allowed to consume alcohol at any time.

**Crime Statistics – Uganda Campus**

The chart on the following page depicts offenses reported by officials of the Uganda Study Abroad program, which is part of the College of Agriculture and located in the Kamuli District, Uganda. These offenses are compiled as required by provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and obtained from the Associate Director of Education Programs for the College of Agriculture.
## Annual Security and Fire Safety Report - Kamuli District, Uganda Campus

### On-Campus Property

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### Hate Crimes:
- no hate crimes were reported for calendar years 2015, 2016 or 2017.

### Unfounded Crimes:
- no crimes were unfounded in calendar years 2015, 2016 or 2017.

In the above table, the On-Campus Property crimes are reported in two categories — Res indicates the crime occurred in an on-campus residence hall; Oth indicates the crime occurred in an on-campus location other than a residence hall. By adding the two columns, you will get the total number of on campus crimes reported.
Annual Fire Safety Report – Uganda Campus

The Uganda campus has two residence halls: the “Boys’ Dormitory” and the “Girls’ Dormitory.” Both residence halls have smoke detectors; neither building has a sprinkler system. The Iowa State University-Uganda Program’s code of conduct requires; “Interns and students will participate in all safety drills, similar to living in the residence hall at Iowa State University, and when required by program leaders.” To protect residents from fire, and in accordance with University Policy, flammable liquids, candles and open flames are prohibited within the residence halls. Fire extinguishers are provided in all residence, meeting and kitchen facilities. The local fire department will respond to fires within the campus.

There were no residence hall fires on the Uganda campus during the 2015, 2016 or 2017 calendar years.

Policy Library

Iowa State University maintains a Policy Library that present non-discretionary expectations that describe accepted standards of conduct, criteria for granting privileges or benefits, or the means of conducting university-related activities. Generally, university policies will not change more frequently than annually. The Policy Library can be found here: [https://www.policy.iastate.edu](https://www.policy.iastate.edu).

Policies in the Policy Library are the current official statements of university policy of general applicability from across Iowa State University. Policies included in the Policy Library apply to a broad range of the university community, not just one department or unit. These university-level policies have been approved at the vice presidential level and, in some cases, by the university president and/or the Board of Regents, State of Iowa.

Clery Program Contact Information

This document has been prepared in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. All of the information contained within the document has been verified. If there are any questions regarding this document or Iowa State University’s compliance with the Clery Act, please call Alice Fulk Wisner, ISU Police at 515-294-2418, or email at wisneraf@isu.edu.
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236.2 DOMESTIC ABUSE DEFINITIONS

2. “Domestic abuse” means committing assault as defined in section 708.1 under any of the following circumstances:
   a. The assault is between family or household members who resided together at the time of the assault.
   b. The assault is between separated spouses or persons divorced from each other and not residing together at the time of the assault.
   c. The assault is between persons who are parents of the same minor child, regardless of whether they have been married or have lived together at any time.
   d. The assault is between persons who have been family or household members residing together within the past year and are not residing together at the time of the assault.
   e. (1) The assault is between persons who are in an intimate relationship or have been in an intimate relationship and have had contact within the past year of the assault. In determining whether persons are or have been in an intimate relationship, the court may consider the following nonexclusive list of factors:
      (a) The duration of the relationship.
      (b) The frequency of interaction.
      (c) Whether the relationship has been terminated.
      (d) The nature of the relationship, characterized by either party’s expectation of sexual or romantic involvement.
   (2) A person may be involved in an intimate relationship with more than one person at a time.

3. “Emergency shelter services” include but are not limited to secure crisis shelters or housing for victims of domestic abuse.

4. a. “Family or household members” means spouses, persons cohabiting, parents, or other persons related by consanguinity or affinity.
   b. “Family or household members” does not include children under age eighteen of persons listed in paragraph “a”.

5. “Intimate relationship” means a significant romantic involvement that need not include sexual involvement. An intimate relationship does not include casual social relationships or associations in a business or professional capacity.

6. “Plaintiff” includes a person filing an action on behalf of an unemancipated minor.

7. “Pro se” means a person proceeding on the person’s own behalf without legal representation.

8. “Support services” include but are not limited to legal services, counseling services, transportation services, child care services, and advocacy services.
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708.2A Domestic abuse assault — mandatory minimums, penalties enhanced — extension of no-contact order.

1. For the purposes of this chapter, “domestic abuse assault” means an assault, as defined in section 708.1, which is domestic abuse as defined in section 236.2, subsection 2, paragraph “a”, “b”, “c”, or “d”.

2. On a first offense of domestic abuse assault, the person commits:
   a. A simple misdemeanor for a domestic abuse assault, except as otherwise provided.
   b. A serious misdemeanor, if the domestic abuse assault causes bodily injury or mental illness.
   c. An aggravated misdemeanor, if the domestic abuse assault is committed with the intent to inflict a serious injury upon another, or if the person uses or displays a dangerous weapon in connection with the assault. This paragraph does not apply if section 708.6 or 708.8 applies.
   d. An aggravated misdemeanor, if the domestic abuse assault is committed by knowingly impeding the normal breathing or circulation of the blood of another by applying pressure to the throat or neck of the other person or by obstructing the nose or mouth of the other person.

3. Except as otherwise provided in subsection 2, on a second domestic abuse assault, a person commits:
   a. A serious misdemeanor, if the first offense was classified as a simple misdemeanor, and the second offense would otherwise be classified as a simple misdemeanor.
   b. An aggravated misdemeanor, if the first offense was classified as a simple or aggravated misdemeanor, and the second offense would otherwise be classified as a serious misdemeanor, or the first offense was classified as a serious or aggravated misdemeanor, and the second offense would otherwise be classified as a simple or serious misdemeanor.

4. On a third or subsequent offense of domestic abuse assault, a person commits a class “D” felony.

5. For a domestic abuse assault committed by knowingly impeding the normal breathing or circulation of the blood of another by applying pressure to the throat or neck of the other person or by obstructing the nose or mouth of the other person, and causing bodily injury, the person commits a class “D” felony.

6. a. A conviction for, deferred judgment for, or plea of guilty to, a violation of this section which occurred more than twelve years prior to the date of the violation charged shall not be considered in determining that the violation charged is a second or subsequent offense.
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b. For the purpose of determining if a violation charged is a second or subsequent offense, deferred judgments issued pursuant to section 907.3 for violations of section 708.2 or this section, which were issued on domestic abuse assaults, and convictions or the equivalent of deferred judgments for violations in any other states under statutes substantially corresponding to this section shall be counted as previous offenses. The courts shall judicially notice the statutes of other states which define offenses substantially equivalent to the offenses defined in this section and can therefore be considered corresponding statutes. Each previous violation on which conviction or deferral of judgment was entered prior to the date of the offense charged shall be considered and counted as a separate previous offense.

c. An offense shall be considered a prior offense regardless of whether it was committed upon the same victim.

7. a. A person convicted of violating subsection 2 or 3 shall serve a minimum term of two days of the sentence imposed by law, and shall not be eligible for suspension of the minimum sentence. The minimum term shall be served on consecutive days. The court shall not impose a fine in lieu of the minimum sentence, although a fine may be imposed in addition to the minimum sentence. This section does not prohibit the court from sentencing and the person from serving the maximum term of confinement or from paying the maximum fine permitted pursuant to chapters 902 and 903, and does not prohibit the court from entering a deferred judgment or sentence pursuant to section 907.3, if the person has not previously received a deferred sentence or judgement for a violation of section 708.2 or this section which was issued on a domestic abuse assault.

b. A person convicted of a violation referred to in subsection 4 shall be sentenced as provided under section 902.13.

8. If a person is convicted for, receives a deferred judgment for, or pleads guilty to a violation of this section, the court shall modify the no-contact order issued upon initial appearance in the manner provided in section 664A.5, regardless of whether the person is placed on probation.

9. The clerk of the district court shall provide notice and copies of a judgment entered under this section to the applicable law enforcement agencies and the twenty-four hour dispatcher for the law enforcement agencies, in the manner provided for protective orders under section 236.5. The clerk shall provide notice and copies of modifications of the judgment in the same manner.

10. In addition to the mandatory minimum term of confinement imposed by subsection 7, paragraph “a”, the court shall order a person convicted under subsection 2 or 3 to participate in a batterers’ treatment program as required under section 708.2B. In addition, as a condition of deferring judgment or sentence pursuant to section 907.3, the court shall order the person to participate in a batterers’ treatment program. The clerk of the district court shall send a copy of the judgment or deferred judgment to the judicial district department of correctional services.
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709.1 SEXUAL ABUSE DEFINED.

Any sex act between persons is sexual abuse by either of the persons when the act is performed with the other person in any of the following circumstances:

1. The act is done by force or against the will of the other. If the consent or acquiescence of the other is procured by threats of violence toward any person or if the act is done while the other is under the influence of a drug inducing sleep or is otherwise in a state of unconsciousness, the act is done against the will of the other.
2. Such other person is suffering from a mental defect or incapacity which precludes giving consent, or lacks the mental capacity to know the right and wrong of conduct in sexual matters.
3. Such other person is a child.

709.1A INCAPACITATION.

As used in this chapter, "incapacitated" means a person is disabled or deprived of ability, as follows:

1. "Mentally incapacitated" means that a person is temporarily incapable of apprising or controlling the person's own conduct due to the influence of a narcotic, anesthetic, or intoxicating substance.
2. "Physically helpless" means that a person is unable to communicate an unwillingness to act because the person is unconscious, asleep, or is otherwise physically limited.
3. "Physically incapacitated" means that a person has a bodily impairment or handicap that substantially limits the person's ability to resist or flee.

709.2 SEXUAL ABUSE IN THE FIRST DEGREE.

A person commits sexual abuse in the first degree when in the course of committing sexual abuse the person causes another serious injury.
Sexual abuse in the first degree is a class "A" felony.

709.3 SEXUAL ABUSE IN THE SECOND DEGREE.

1. A person commits sexual abuse in the second degree when the person commits sexual abuse under any of the following circumstances:
   a. During the commission of sexual abuse the person displays in a threatening manner a dangerous weapon, or uses or threatens to use force creating a substantial risk of death or serious injury to any person.
   b. The other person is under the age of twelve.
   c. The person is aided or abetted by one or more persons and the sex act is committed by force or against the will of the other person against whom the sex act is committed.

2. Sexual abuse in the second degree is a class "B" felony.
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709.4 SEXUAL ABUSE IN THE THIRD DEGREE.
1. A person commits sexual abuse in the third degree when the person performs a sex act under any of the following circumstances:
   a. The act is done by force or against the will of the other person, whether or not the other person is the person's spouse or is cohabiting with the person.
   b. The act is between persons who are not at the time cohabiting as husband and wife and if any of the following are true:
      (1) The other person is suffering from a mental defect or incapacity which precludes giving consent.
      (2) The other person is twelve or thirteen years of age.
      (3) The other person is fourteen or fifteen years of age and any of the following are true:
         a) The person is a member of the same household as the other person.
         b) The person is related to the other person by blood or affinity to the fourth degree.
         c) The person is in a position of authority over the other person and uses that authority to coerce the other person to submit.
         d) The person is four or more years older than the other person.
   c. The act is performed while the other person is under the influence of a controlled substance, which may include but is not limited to flunitrazepam, and all of the following are true:
      (1) The controlled substance, which may include but is not limited to flunitrazepam, prevents the other person from consenting to the act.
      (2) The person performing the act knows or reasonably should have known that the other person was under the influence of the controlled substance, which may include but is not limited to flunitrazepam.
   d. The act is performed while the other person is mentally incapacitated, physically incapacitated, or physically helpless.
2. Sexual abuse in the third degree is a class "C" felony.

708.11 STALKING: engaging in a course of conduct directed at a specific person that would cause a reasonable person to — a) fear for his or her safety or the safety of others; or b) suffer substantial emotional distress. Iowa Code 708.11 states:

1. As used in this section, unless the context otherwise requires:
   a. “Accompanying offense” means any public offense committed as part of the course of conduct engaged in while committing the offense of stalking.
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b. “Course of conduct” means repeatedly maintaining a visual or physical proximity to a person without legitimate purpose, repeatedly utilizing a technological device to locate, listen to, or watch a person without legitimate purpose, or repeatedly conveying oral or written threats, threats implied by conduct, or a combination thereof, directed at or toward a person.

c. “Immediate family member” means a spouse, parent, child, sibling, or any other person who regularly resides in the household of a specific person, or who within the prior six months regularly resided in the household of a specific person.

d. “Repeatedly” means on two or more occasions.

2. A person commits stalking when all of the following occur:

a. The person purposefully engages in a course of conduct directed at a specific person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened or to fear that the person intends to cause bodily injury to, or the death of, that specific person or a member of the specific person’s immediate family.

b. The person has knowledge or should have knowledge that a reasonable person would feel terrorized, frightened, intimidated, or threatened or fear that the person intends to cause bodily injury to, or the death of, that specific person or a member of the specific person’s immediate family by the course of conduct.

3. a. A person who commits stalking in violation of this section commits a class “C” felony for a third or subsequent offense.

b. A person who commits stalking in violation of this section commits a class “D” felony if any of the following apply:

(1) The person commits stalking while subject to restrictions contained in a criminal or civil protective order or injunction, or any other court order which prohibits contact between the person and the victim, or while subject to restrictions contained in a criminal or civil protective order or injunction or other court order which prohibits contact between the person and another person against whom the person has committed a public offense.

(2) The person commits stalking while in possession of a dangerous weapon, as defined in section 702.7.

(3) The person commits stalking by directing a course of conduct at a specific person who is under eighteen years of age.

(4) The offense is a second offense.

c. A person who commits stalking in violation of this section commits an aggravated misdemeanor if the offense is a first offense which is not included in paragraph “b”.

4. Violations of this section and accompanying offenses shall be considered prior offenses for the purpose of determining whether an offense is a second or subsequent offense. A conviction for, deferred judgment for, or plea of guilty to a violation of this section or an accompanying offense which occurred at any time prior to the date of the violation charged shall be considered in determining that the violation charged is a second or subsequent offense. Deferred judgments pursuant to section 907.3 for violations of this section or accompanying offenses and convictions
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OR the equivalent of deferred judgments for violations in any other states under statutes substantially corresponding to this section or accompanying offenses shall be counted as previous offenses. The courts shall judicially notice the statutes of other states which define offenses substantially equivalent to the offenses defined in this section and its accompanying offenses and can therefore be considered corresponding statutes. Each previous violation of this section or an accompanying offense on which conviction or deferral of judgment was entered prior to the date of the violation charged shall be considered and counted as a separate previous offense. In addition, however, accompanying offenses committed as part of the course of conduct engaged in while committing the violation of stalking charged shall be considered prior offenses for the purpose of that violation, even though the accompanying offenses occurred at approximately the same time. An offense shall be considered a second or subsequent offense regardless of whether it was committed upon the same person who was the victim of any other previous offense.

5. Notwithstanding section 804.1, rule of criminal procedure 2.7, Iowa court rules, or any other provision of law to the contrary, upon the filing of a complaint and a finding of probable cause to believe an offense has been committed in violation of this section, or after the filing of an indictment or information alleging a violation of this section, the court shall issue an arrest warrant, rather than a citation or summons. A peace officer shall not issue a citation in lieu of arrest for a violation of this section. Notwithstanding section 804.21 or any other provision of law to the contrary, a person arrested for stalking shall be immediately taken into custody and shall not be released pursuant to pretrial release guidelines, a bond schedule, or any similar device, until after the initial appearance before a magistrate. In establishing the conditions of release, the magistrate may consider the defendant’s prior criminal history, in addition to the other factors provided in section 811.2.

6. For purposes of determining whether or not the person should register as a sex offender pursuant to the provisions of chapter 692A, the fact finder shall make a determination as provided in section 692A.126.

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123.47 PERSONS UNDER EIGHTEEN YEARS OF AGE, PERSONS EIGHTEEN, NINETEEN, OR TWENTY YEARS OF AGE, AND PERSONS TWENTY-ONE YEARS OF AGE AND OLDER.

1. A person shall not sell, give, or otherwise supply alcoholic liquor, wine, or beer to any person knowing or having reasonable cause to believe that person to be under legal age.

2. a. Except for the purposes described in subsection 3, a person who is the owner or lessee of, or who otherwise has control over, property that is not a licensed premises, shall not knowingly permit any person, knowing or having reasonable cause to believe the person to be under the age of eighteen, to consume or possess on such property any alcoholic liquor, wine, or beer.
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b. A person who violates this subsection commits the following:
   (1) For a first offense, a simple misdemeanor punishable as a scheduled violation under 805.8C, subsection 8.
   (2) For a second or subsequent offense, a simple misdemeanor punishable by a fine of five hundred dollars.

c. This subsection shall not apply to any of the following:
   (1) A landlord or manager of the property.
   (2) A person under legal age who consumes or possesses any alcoholic liquor, wine, or beer in connection with a religious observance, ceremony, or rite.

3. A person or persons under legal age shall not purchase of attempt to purchase, consume, or individually or jointly have alcoholic liquor, wine, or beer in their possession or control; except in the case of liquor, wine, or beer given or dispensed to a person under legal age within a private home and with the knowledge, presence, and consent of the parent or guardian, for beverage or medicinal purposes or as administered to the person by either a physician or dentist for medicinal purposes and except to the extent that a person under legal age may handle alcoholic beverages, wine, and beer during the regular course of the person’s employment by a liquor control licensee, or wine or beer permittee under this chapter.

4. a. A person who is eighteen, nineteen, or twenty years of age, other than a licensee or permittee, who violates this section regarding the purchase of, attempt to purchase, or consumption of alcoholic liquor, wine, or beer, or possessing or having control of alcoholic liquor, wine, or beer, commits the following:
   (1) A simple misdemeanor punishable as a scheduled violation under section 805.8C, subsection 7.
   (2) A second offense shall be a simple misdemeanor punishable by a fine of five hundred dollars.
      In addition to any other applicable penalty, the person in violation of this section shall choose between either completing a substance abuse evaluation or the suspension of the person’s motor vehicle operating privileges for a period not to exceed one year.
   (3) A third or subsequent offense shall be a simple misdemeanor punishable by a fine of five hundred dollars and the suspension of the person’s motor vehicle operating privileges for a period not to exceed one year.

b. The court may, in its discretion, order the person who is under legal age to perform community service work under section 909.3A, of an equivalent value to the fine imposed under this section.

c. If the person who commits a violation of this section is under the age of eighteen, the matter shall be disposed of in the manner provided in chapter 232.

5. Except as otherwise provided in subsections 6 and 7, a person who is of legal age, other than a licensee or permittee, who sells, gives, or otherwise supplies alcoholic liquor, wine, or beer to a person who is under legal age in violation of this section commits a serious misdemeanor punishable by a minimum fine of five hundred dollars.

6. A person who is of legal age, other than a licensee or permittee, who sells, give, or otherwise supplies alcoholic liquor, wine, or beer to a person who is under legal age in violation of this section which results in a serious injury to any person commits an aggravated misdemeanor.
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7. A person who is of legal age, other than a licensee or permittee, who sells, gives, or otherwise supplies alcoholic liquor, wine, or beer to a person who is under legal age in violation of this section which results in the death of any person commits a class “D” felony.

8. Upon the expiration of two years following conviction for a violation of subsection 3 or of a similar local ordinance, a person may petition the court to expunge the conviction, and if the person has had no other criminal convictions, other than local traffic violations or simple misdemeanor violations of chapter 321 during the two-year period, the conviction shall be expunged as a matter of law. The court shall enter an order that the record of the conviction be expunged by the clerk of the district court. Notwithstanding section 692.2, after receipt of notice from the clerk of the district court that a record of conviction has been expunged for a violation of subsection 3, the record of conviction shall be removed from the criminal history data files maintained by the department of public safety. An expunged conviction shall not be considered a prior offense for purposes of enhancement under subsection 4 or under a local ordinance unless the new violation occurred prior to entry of the order of expungement.

123.46 CONSUMPTION OR INTOXICATION IN PUBLIC PLACES — NOTIFICATIONS — CHEMICAL TESTS—EXPUNGEMENT.

1. As used in this section unless the context otherwise requires:
   a. “Arrest” means the same as defined in section 804.5 and includes taking into custody pursuant to section 232.19.
   b. “Chemical test” means a test of a person’s blood, breath, or urine to determine the percentage of alcohol present by a qualified person using devices and methods approved by the commissioner of public safety.
   c. “Peace officer” means the same as defined in section 801.4.

2. A person shall not use or consume alcoholic liquor, wine, or beer upon the public streets or highways. A person shall not use or consume alcoholic liquor in any public place except premises covered by a liquor control license. A person shall not possess or consume alcoholic liquors, wine, or beer on public school property or while attending a public or private school-related function. A person shall not be intoxicated in a public place. A person violating this subsection is guilty of a simple misdemeanor.

3. A person shall not simulate intoxication in a public place. A person violating this subsection is guilty of a simple misdemeanor.

4. When a peace officer arrests a person on a charge of public intoxication under this section, the peace officer shall inform the person that the person may have a chemical test administered at the person’s own expense. If a device approved by the commissioner of public safety for testing a sample of a person’s breath to determine the person’s blood alcohol concentration is available, that is the only test that need be offered the person arrested. In a prosecution for public intoxication, evidence of the results of a chemical test performed under this subsection is admissible upon proof of a proper foundation. The percentage of alcohol present in a person’s blood, breath, or urine established by the results of a chemical test performed within two hours after the person’s arrest on a charge of public intoxication is presumed to be the percentage of alcohol present at the time of arrest.
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5.  
a.  A peace officer shall make a reasonable effort to identify a person under the age of eighteen who violates this section and refer the person to juvenile court.

b.  A juvenile court officer shall notify the person’s custodial parent, legal guardian, or custodian of the violation. In addition, the juvenile court officer shall make a reasonable effort to identify the elementary or secondary school the person attends, if any, and to notify the superintendent of the school district or the superintendent’s designee, or the authorities in charge of the nonpublic school, of the violation. A reasonable attempt to notify the person includes, but is not limited to, a telephone call or notice by first-class mail.

6.  Upon the expiration of two years following conviction for a violation of this section and a violation of a local ordinance that arose from the same transaction or occurrence, a person may petition the court to expunge the conviction including the conviction for a violation of a local ordinance that arose from the same transaction or occurrence, and if the person has had no other criminal convictions, other than local traffic violations or simple misdemeanor violations of chapter 321 during the two-year period, the conviction and the conviction for a violation of a local ordinance that arose from the same transaction or occurrence shall be expunged as a matter of law. The court shall enter an order that the record of the conviction and the conviction for a violation of a local ordinance that arose from the same transaction or occurrence be expunged by the clerk of the district court. Notwithstanding section 692.2, after receipt of notice from the clerk of the district court that a record of conviction and the conviction for a violation of a local ordinance that arose from the same transaction or occurrence has been expunged, the record of conviction and the conviction for a violation of a local ordinance that arose from the same transaction or occurrence shall be removed from the criminal history data files maintained by the department of public safety if such a record was maintained in the criminal history data files.
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State Laws: Prohibited Acts

124.401 PROHIBITED ACTS — MANUFACTURE, DELIVER, POSSESSION — COUNTERFEIT
SUBSTANCES, SIMULATED CONTROLLED SUBSTANCES, IMITATION CONTROLLED
SUBSTANCES— PENALTIES.

1. Except as authorized by this chapter, it is unlawful for any person to manufacture, deliver, or possess
with the intent to manufacture or deliver, a controlled substance, a counterfeit substance, a simulated
controlled substance, or an imitation controlled substance, or to act with, enter into a common
scheme or design with, or conspire with one or more other persons to manufacture, deliver, or
possess with the intent to manufacture or deliver a controlled substance, a counterfeit substance, a
simulated controlled substance, or an imitation controlled substance.

a. Violation of this subsection, with respect to the following controlled substances, counterfeit
substances, simulated controlled substances, or imitation controlled substances, is a class “B”
felony, and notwithstanding section 902.9, subsection 1, paragraph “b”, shall be punished by con-
finement for no more than fifty years and a fine of not more than one million dollars:

(1) More than one kilogram of a mixture or substance containing a detectable amount of heroin.
(2) More than five hundred grams of a mixture or substance containing a detectable amount of
any of the following:
   (a) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine,
       ecgonine, and derivatives of ecgonine and their salts have been removed.
   (b) Cocaine, its salts, optical and geometric isomers, or salts of isomers.
   (c) Ecgonine, its derivatives, their salts, isomers, or salts of isomers.
   (d) Any compound, mixture, or preparation which contains any quantity of any of the
       substances referred to in subparagraph divisions (a) through (c).
(3) More than two hundred grams of a mixture or substance described in subparagraph (2)
    which contains cocaine base.
(4) More than one hundred grams of phencyclidine (PCP) or one kilogram or more of a mixture
    or substance containing a detectable amount of phencyclidine (PCP).
(5) More than ten grams of a mixture or substance containing a detectable amount of lysergic
    acid diethylamide (LSD).
(6) More than one thousand kilograms of a mixture or substance containing a detectable amount
    of marijuana.
(7) More than five kilograms of a mixture or substance containing a detectable amount of any
    of the following:
       (a) Methamphetamine, its salts, isomers, or salts of isomers.
       (b) Amphetamine, its salts, isomers, and salts of isomers.
       (c) Any compound, mixture, or preparation which contains any quantity of any of the
           substances referred to in subparagraph divisions (a) and (b).
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State of Iowa Laws: Prohibited Acts

(8) More than ten kilograms of a mixture or substance containing any detectable amount of those substances identified in section 124.204, subsection 9.

b. Violation of this subsection with respect to the following controlled substances, counterfeit substances, simulated controlled substances, or imitation controlled substances is a class “B” felony, and in addition to the provisions of section 902.9, subsection 1, paragraph “b”, shall be punished by a fine of not less than five thousand dollars nor more than one hundred thousand dollars:

1) More than one hundred grams but not more than one kilogram of a mixture or substance containing a detectable amount of heroin.
2) More than one hundred grams but not more than five hundred grams of any of the following:
   a) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, eegonine, and derivatives of eegonine and their salts have been removed.
   b) Cocaine, its salts, optical and geometric isomers, or salts of isomers.
   c) Eegonine, its derivatives, their salts, isomers, or salts of isomers.
   d) Any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subparagraph divisions (a) through (c).

(3) More than forty grams but not more than two hundred grams of a mixture or substance described in subparagraph (2) which contains cocaine base.

(4) More than ten grams but not more than one hundred grams of phencyclidine (PCP) or more than one hundred grams but not more than one kilogram of a mixture or substance containing a detectable amount of phencyclidine (PCP).

(5) Not more than ten grams of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD).

(6) More than one hundred kilograms but not more than one thousand kilograms of marijuana.

(7) More than five grams but not more than five kilograms of methamphetamine, its salts, isomers, or salts of isomers, or analogs of methamphetamine, or any compound, mixture, or preparation which contains any quantity or detectable amount of methamphetamine, its salts, isomers, or salts of isomers, or analogs of methamphetamine.

(8) More than five grams but not more than five kilograms of amphetamine, its salts, isomers, or salts of isomers, or any compound, mixture, or preparation which contains any quantity or detectable amount of amphetamine, its salts, isomers, or salts of isomers.

(9) More than five kilograms but not more than ten kilograms of a mixture or substance containing any detectable amount of those substances identified in section 124.204, subsection 9.

c. Violation of this subsection with respect to the following controlled substances, counterfeit substances, simulated controlled substances, or imitation controlled
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substances is a class “C” felony, and in addition to the provisions of section 902.9, subsection 1, paragraph “d”, shall be punished by a fine of not less than one thousand dollars nor more than fifty thousand dollars:

(1) One hundred grams or less of a mixture or substance containing a detectable amount of heroin.

(2) One hundred grams or less of any of the following:
   (a) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine and their salts have been removed.
   (b) Cocaine, its salts, optical and geometric isomers, or salts of isomers.
   (c) Ecgonine, its derivatives, their salts, isomers, or salts of isomers.
   (d) Any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subparagraph divisions (a) through (c).

(3) Forty grams or less of a mixture or substance described in subparagraph (2) which contains cocaine base.

(4) Ten grams or less of phencyclidine (PCP) or one hundred grams or less of a mixture or substance containing a detectable amount of phencyclidine (PCP).

(5) More than fifty kilograms but not more than one hundred kilograms of marijuana.

(6) Five grams or less of methamphetamine, its salts, isomers, or salts of isomers, or analogs of methamphetamine, or any compound mixture, or preparation which contains any quantity or detectable amount of methamphetamine, its salts, isomers, or salts of isomers, or analogs of methamphetamine.

(7) Five grams or less of amphetamine, its salts, isomers, or salts of isomers, or any compound, mixture, or preparation which contains any quantity or detectable amount of amphetamine, its salts, isomers, or salts of isomers.

(8) Five kilograms or less of a mixture or substance containing any detectable amount of those substances identified in section 124.204, subsection 9.

(9) Any other controlled substance, counterfeit substance, simulated controlled substance, or imitation controlled substance classified in schedule I, II, or III, except as provided in paragraph “d”.

d. Violation of this subsection, with respect to any other controlled substances, counterfeit substances, simulated controlled substances, or imitation controlled substances classified in schedule IV or V is an aggravated misdemeanor. However, violation of this subsection involving fifty kilograms or less of marijuana or involving flunitrazepam is a class “D” felony.

e. A person in the immediate possession or control of a firearm while participating in a violation of this subsection shall be sentenced to two times the term otherwise imposed by law, and no such judgment, sentence, or part thereof shall be deferred or suspended.
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f. A person in the immediate possession or control of an offensive weapon, as defined in section 724.1, while participating in a violation of this subsection, shall be sentenced to three times the term otherwise imposed by law, and no such judgment, sentence, or part thereof shall be deferred or suspended.

2. If the same person commits two or more acts which are in violation of subsection 1 and the acts occur in approximately the same location or time period so that the acts can be attributed to a single scheme, plan, or conspiracy, the acts may be considered a single violation and the weight of the controlled substances, counterfeit substances, simulated controlled substances, or imitation controlled substances involved may be combined for purposes of charging the offender.

3. It is unlawful for any person to sell, distribute, or make available any product containing ephedrine, its salts, optical isomers, salts of optical isomers, or analogs of ephedrine, or pseudoephedrine, its salts, optical isomers, salts of optical isomers, or analogs of pseudoephedrine, if the person knows, or should know, that the product may be used as a precursor to any illegal substance or an intermediary to any controlled substance. A person who violates this subsection commits a serious misdemeanor.

4. A person who possesses any product containing any of the following commits a class “D” felony, if the person possesses with the intent that the product be used to manufacture any controlled substance:
   a. Ephedrine, its salts, optical isomers, salts of optical isomers, or analogs of ephedrine.
   b. Pseudoephedrine, its salts, optical isomers, salts of optical isomers, or analogs of pseudoephedrine.
   c. Ethyl ether.
   d. Anhydrous ammonia.
   e. Red phosphorous.
   f. Lithium.
   g. Iodine.
   h. Thionyl chloride.
   i. Chloroform.
   j. Palladium.
   k. Perchloric acid.
   l. Tetrahydrofuran.
   m. Ammonium chloride.
   n. Magnesium sulfate.
   o. Sodium hydroxide.
   p. Ammonia nitrate.
   q. Ammonia sulfate.
   r. Light or medium petroleum distillates.

5. It is unlawful for any person knowingly or intentionally to possess a controlled substance unless such substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner’s professional practice, or except as otherwise authorized by this chapter. Any person who violates this subsection is guilty of a serious misdemeanor for a first offense. A person who commits a violation of this subsection and who has previously been convicted of violating this chapter or Chapter 124B or 435B, or chapter 124A as it existed prior to July 1, 2017, is
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guilty of an aggravated misdemeanor. A person who commits a violation of this subsection and has previously been convicted two or more times of violating this chapter or chapter 124B or 453B, or chapter 124A as it existed prior to July 1, 2017, is guilty of a class “D” felony.

If the controlled substance is marijuana, the punishment shall be by imprisonment in the county jail for not more than six months or by a fine of not more than one thousand dollars, or by both such fine and imprisonment for a first offense. If the controlled substance is marijuana and the person has been previously convicted of a violation of this subsection in which the controlled substance was marijuana, the punishment shall be as provided in section 903.1, subsection 1, paragraph “b”. If the controlled substance is marijuana and the person has been previously convicted two or more times of a violation of this subsection in which the controlled substance was marijuana, the person is guilty of an aggravated misdemeanor.

All or any part of a sentence imposed pursuant to this subsection may be suspended and the person placed upon probation upon such terms and conditions as the court may impose including the active participation by such person in a drug treatment, rehabilitation or education program approved by the court.

If a person commits a violation of this subsection, the court shall order the person to serve a term of imprisonment of not less than forty-eight hours. Any sentence imposed may be suspended, and the court shall place the person on probation upon such terms and conditions as the court may impose. If the person is not sentenced to confinement under the custody of the director of the department of corrections, the terms and conditions of probation shall require submission to random drug testing. If the person fails a drug test, the court may transfer the person’s placement to any appropriate placement permissible under the court order.

If the controlled substance is amphetamine, its salts, isomers, or salts of its isomers, or methamphetamine, its salts, isomers, or salts of its isomers, the court shall order the person to serve a term of imprisonment of not less than forty-eight hours. Any sentence imposed may be suspended, and the court shall place the person on probation upon such terms and conditions as the court may impose. The court may place the person on intensive probation. However, the terms and conditions of probation shall require submission to random drug testing. If the person fails a drug test, the court may transfer the person’s placement to any appropriate placement permissible under the court order.
### Appendix 1
Federal Drug Laws

<table>
<thead>
<tr>
<th>Schedule</th>
<th>Substance/Quantity</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>II</td>
<td>Cocaine 500-4999 grams mixture</td>
<td><strong>First Offense:</strong> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual.</td>
</tr>
<tr>
<td>II</td>
<td>Cocaine Base 28-279 grams mixture</td>
<td>Cocaine Base 280 grams or more mixture</td>
</tr>
<tr>
<td>II</td>
<td>Fentanyl 40-399 grams mixture</td>
<td>Fentanyl 400 grams or more mixture</td>
</tr>
<tr>
<td>I</td>
<td>Fentanyl Analogue 10-99 grams mixture</td>
<td>Fentanyl Analogue 100 grams or more mixture</td>
</tr>
<tr>
<td>I</td>
<td>Heroin 100-999 grams mixture</td>
<td><strong>Second Offense:</strong> Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $10 million if an individual, $50 million if not an individual.</td>
</tr>
<tr>
<td>I</td>
<td>LSD 1-9 grams mixture</td>
<td>LSD 10 grams or more mixture</td>
</tr>
<tr>
<td>II</td>
<td>Methamphetamine 5-49 grams pure or 50-499 grams mixture</td>
<td>Methamphetamine 50 grams or more pure or 500 grams or more mixture</td>
</tr>
<tr>
<td>II</td>
<td>PCP 10-99 grams pure or 100-999 grams mixture</td>
<td>PCP 100 grams or more pure or 1 kilogram or more mixture</td>
</tr>
</tbody>
</table>

#### Substances/Quantities

<table>
<thead>
<tr>
<th>Substance/Quantity</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any Amount Of Other Schedule</td>
<td><strong>First Offense:</strong> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine $1 million if an individual, $5 million if not an individual.</td>
</tr>
<tr>
<td>Any Drug Product Containing Flunitrazepam (Schedule IV) 1 Gram or less</td>
<td><strong>Second Offense:</strong> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if not an individual.</td>
</tr>
</tbody>
</table>
## Appendix 1

### Federal Drug Laws

<table>
<thead>
<tr>
<th>Substance/Quantity</th>
<th>Penalty</th>
</tr>
</thead>
</table>
| Any Amount Of Other Schedule III Drugs                  | **First Offense:** Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than $500,000 if an individual, $2.5 million if not an individual.  
**Second Offense:** Not more than 20 yrs. If death or serious bodily injury, not more than 30 yrs. Fine not more than $1 million if an individual, $5 million if not an individual. |
| Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam) | **First Offense:** Not more than 5 yrs. Fine not more than $250,000 if an individual, $1 million if not an individual.  
**Second Offense:** Not more than 10 yrs. Fine not more than $500,000 if an individual, $2 million if not an individual. |
| Any Amount Of All Schedule V Drugs                      | **First Offense:** Not more than 1 yr. Fine not more than $100,000 if an individual, $250,000 if not an individual.  
**Second Offense:** Not more than 4 yrs. Fine not more than $200,000 if an individual, $500,000 if not an individual. |

### Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances

<table>
<thead>
<tr>
<th>Substances</th>
<th>Penalty</th>
</tr>
</thead>
</table>
| Marijuana: 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants | **First Offense:** Not more than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than $10 million if an individual, $50 million if other than an individual.  
**Second Offense:** Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than $20 million if an individual, $75 million if other than an individual. |
| Marijuana: 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants | **First Offense:** Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than $5 million if an individual, $25 million if other than an individual.  
**Second Offense:** Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than $8 million if an individual, $50 million if other than an individual. |
| Marijuana: 50 to 99 kilograms marijuana mixture or 50 to 99 marijuana plants, Hashish: more than 10 kilograms, Hashish Oil: more than 1 kilogram | **First Offense:** Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine $1 million if an individual, $5 million if other than an individual.  
**Second Offense:** Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if other than an individual. |
| Marijuana: less than 50 kilograms (but does not include 60 or more marijuana plants regardless of weight) or 1 to 49 marijuana plants, Hashish: 10 kilograms or less, Hashish Oil: 1 kilogram or less | **First Offense:** Not more than 5 yrs. Fine not more than $250,000, $1 million if other than an individual.  
**Second Offense:** Not more than 10 yrs. Fine $500,000 if an individual, $2 million if other than an individual. |
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Penalties Under Iowa Law for Manufacturing, Delivering, or Possessing with the Intent to Deliver a Controlled Substance, a Counterfeit Substance or a Simulated Controlled Substance

<table>
<thead>
<tr>
<th>General Offense</th>
<th>Special Class “B”</th>
<th>Special Class “B”</th>
<th>Special Class “C”</th>
<th>Special Class “D”</th>
<th>Aggravated Misdemeanor</th>
<th>Special Class</th>
</tr>
</thead>
<tbody>
<tr>
<td>Classification</td>
<td>Felony section 124.401(1)(a)</td>
<td>Felony section 124.401(1)(b)</td>
<td>Felony section 124.401(1)(c)</td>
<td>Felony section 124.401(1)(d)</td>
<td>Misdemeanor section 124.401</td>
<td>Special Class</td>
</tr>
<tr>
<td>Penalty Substance</td>
<td>Not greater than 50 years and a fine of not greater than $1,000,000</td>
<td>Not greater than 25 years and a fine of not less than $5,000 and not greater than $100,000</td>
<td>Not greater than 10 years and a fine of not less than $1,000 and not greater than $50,000</td>
<td>Not greater than 5 years and a fine of not less than $750,000 and not greater than $7,500</td>
<td>Not greater than 2 years or a fine of not greater than $5,000 or both</td>
<td>Not greater than 6 months or a fine of not greater than $10,000 or both</td>
</tr>
<tr>
<td>LSD</td>
<td>Greater than 10g</td>
<td>Not greater than 10g</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cocaine Base “Crack”</td>
<td>Greater than 200g</td>
<td>Greater than 40g but not greater than 200g</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cocaine</td>
<td>Greater than 500g</td>
<td>Greater than 100g but not greater than 500g</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PCP (Pure)</td>
<td>Greater than 100g</td>
<td>Greater than 10g but not greater than 100g</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PCP (Mixed)</td>
<td>Greater than 1kg</td>
<td>Greater than 10g but not greater than 1kg</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heroin</td>
<td>Greater than 1kg</td>
<td>Greater than 100g but not greater than 1kg</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marijuana</td>
<td>Greater than 1,000 kg</td>
<td>Greater than 100kg but not greater than 1000kg</td>
<td>Greater than 50 kg, but not greater than 100 kg</td>
<td>Less than or equal to 50 kg</td>
<td>Less than or equal to 1/2 or (not offered for sale)</td>
<td></td>
</tr>
<tr>
<td>Methamphetamine</td>
<td>Greater than 5 kg</td>
<td>Greater than 5g but not greater than 5kg</td>
<td>Less than or equal to 5g</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salvia Divinorum</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Any amount</td>
<td></td>
</tr>
<tr>
<td>Synthetic Cannabinoids</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Any amount</td>
<td></td>
</tr>
<tr>
<td>Synthetic Cathinones</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Any amount</td>
<td></td>
</tr>
<tr>
<td>Other Schedule I, II, and III Substances</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Any amount</td>
<td></td>
</tr>
<tr>
<td>Schedule IV and V Substances</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Any amount</td>
<td></td>
</tr>
</tbody>
</table>

Special Class “B” Felony—§ 124.401(1)(a) are non-bailable offenses after conviction and while awaiting appeal. Iowa Code § 811.1(2). Note: must be a second or subsequent offense of § 124.401(1)(c) to qualify as non-bailable.

Note that the Iowa Supreme Court has determined that the minimum fines set out for violations of §124.401(1) may be suspended or deferred under chapter 907 of the Iowa Code. State v. Grey, 514 N.W.2d 78 (Iowa 1994).

Special Class Serious—§ 124.401(1) is the accommodation offense. It only includes delivery and possession with intent to deliver less than or equal to 1/2 ounce of marijuana, which was NOT offered for sale. Manufacturing marijuana is not included. An offender under this subsection is sentenced as if convicted of § 124.401(5) (possession of marijuana).

Deferred judgments, deferred sentences, and suspended sentences are NOT available in § 124.401(1) (a) when the substance is methamphetamine. Iowa Code § 907.3(1), (2) & (3).

If first offense for amphetamine or methamphetamine, then sentence may be suspended and defendant ordered to drug court or community based corrections for 1 year or until maximum benefits. §124.401E

Examples of other Schedule I, II and III controlled substances include mescaline, morphine, fentanyl, hashish, hashish oil, methaqualone, Seconal, Nembutal. State v. Kaufman, 265 N.W.2d 610 (Iowa 1978).

Examples of Schedule IV and V controlled substances include phenobarbital, Tylenol with codeine, meperidine, Valium and ephedrine.
Appendix 1

PENALTIES UNDER IOWA LAW FOR POSSESSION OF CONTROLLED SUBSTANCES

§ 124.401(5) (Includes minimum imprisonment of 48 hours, which can be suspended)

Note: The reduced penalties for marijuana would appear to apply only if the present offense and all previous convictions were for marijuana, otherwise the penalties for the "other than marijuana" would apply. Convictions for violations of Chapters 124, 1245B, and 453B can be used to enhance second and subsequent offenses in the "other than marijuana" category.

<table>
<thead>
<tr>
<th>First Offense</th>
<th>Marijuana</th>
<th>Other than Marijuana</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>6 mo, $1,000 fine</td>
<td>Serious Misdemeanor</td>
</tr>
<tr>
<td>Second Offense</td>
<td>Serious Misdemeanor</td>
<td>Aggravated Misdemeanor</td>
</tr>
<tr>
<td>Third or Greater Offense</td>
<td>Aggravated Misdemeanor</td>
<td>Class “D” Felony</td>
</tr>
</tbody>
</table>

AGGREGATION OF WEIGHTS Iowa Code § 124.401(2)--If the same person commits 2 or more acts which are in violation of § 124.401(1) and the acts occur in approximately the same location or time period so that the acts can be attributed to a single scheme, plan or conspiracy, the acts may be considered a single violation and the weight of the controlled substances involved may be combined for purposes of charging the offender and enhancing the criminal penalties. This is done at the discretion of the prosecutor. State v. Robinson, 506 N.W.2d 769 (Iowa 1993).

FIREARM AND OFFENSIVE WEAPON ENHANCEMENT Iowa Code § 124.401(1)(e) and (f)--If in the immediate possession of a firearm while participating in a violation of § 124.401(1), the penalty shall be 2 times the term otherwise imposed or granted. If in the immediate possession or control of an offensive weapon while participating in a violation of § 124.401(1), the penalty shall be 3 times the term imposed by law. A judgment or sentence under the firearm or offensive weapon enhancement cannot be deferred or suspended. State v. Goodson, 503 N.W.2d 395 (Iowa 1993).

SCHOOL OR PUBLIC RECREATION ZONE ENHANCEMENT Iowa Code § 124.401A and § 124.401B--If convicted of distributing or possessing with the intent to distribute a Schedule I, II, or III controlled substance (includes both a counterfeit and a simulated controlled substance) to a person greater than or equal to 18 years, and the offense is within 1000 feet of a public or private elementary or secondary school, public park, public swimming pool, public recreation center, or on a marked school bus, then the offender may be sentenced to an additional term of 5 years (§ 124.401A). If convicted of possessing a Schedule I, II, or III controlled substance (includes a simulated controlled substance, but the "counterfeit substance" language was omitted from the statute) and the offense is within 1000 feet of a public or private elementary or secondary school, public park, public swimming pool, public recreation center, or on a marked school bus, then the offender may be sentenced to an additional penalty of 100 hours of community service work for a public agency or a nonprofit charitable organization (§ 124.401B).
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MANUFACTURING METHAMPHETAMINE IN PRESENCE OF A MINOR Iowa Code § 124.401C--If someone greater than or equal to 18 years manufactures methamphetamine 1) in the physical presence of a minor; 2) at the residence of a minor; 3) in a building where a minor might reasonably be present; 4) in a public accommodation (hotel, motel, etc.); or 5) in a multi-unit dwelling (apartment, condo, duplex, etc.), they shall be sentenced to an additional 5 years imprisonment.

MANUFACTURING OR DELIVERY OF AMPHETAMINE OR METHAMPHETAMINE TO A MINOR Iowa Code § 124.401D--If someone greater than or equal to 18 years delivers, possesses with the intent to deliver, conspires to deliver or possess with intent to deliver, or conspires to manufacture methamphetamine for delivery to someone < 18 years: 1st offense = 99 years; 2nd or subsequent offense = Class "A" felony (life imprisonment). § 902.9(1)(a). If 1st offense, then not eligible for parole until a minimum of 10 years served. § 902.8A.

TAMPERING WITH, POSSESSING OR TRANSPORTING ANHYDROUS AMMONIA Iowa Code § 124.401F--It is a serious misdemeanor to tamper with anhydrous ammonia equipment, or to possess or transport anhydrous ammonia in a container not approved by the secretary of agriculture. A civil penalty of not more than $1500 may also be imposed.

SECOND OR SUBSEQUENT OFFENSES Iowa Code § 124.411(1)--If previously convicted of any state or federal drug statute, and subsequently convicted under Chapter 124, that person may be imprisoned for a period not to exceed 3 times the term otherwise authorized, or that person may be fined not more than 3 times the amount otherwise authorized, or both. The enhancement may be less than the triple amount and it also multiplies any other enhancements (such as the firearm enhancement) that may be imposed. State v. Rodgers, 560 N.W.2d 585 (Iowa 1997). Does not apply to violations of § 124.401(5).

MANDATORY MINIMUM SENTENCE Iowa Code § 124.413 (in reality a limitation on eligibility for parole and work release)--A person sentenced pursuant to § 124.401(1)(a), (b), (c) or (f), shall not be eligible for parole or work release until the person has served a minimum period of confinement of one-third of the maximum indeterminate sentence prescribed by law. This provision does not apply to marijuana, Schedule IV or V controlled substances under § 124.401(1)(d). If this is a first offense under § 124.413, the court may, at its discretion, sentence the person to a term less than provided for by statute if mitigating circumstances exist and those circumstances are stated specifically on the record. (See § 901.10.) Probation is still a possibility. State v. Farley, 351 N.W.2d 537 (Iowa 1989); State v. Draper, 457 N.W.2d 600 (Iowa 1990); Kinnersley v. State, 494 N.W.2d 698 (Iowa 1993). If the conviction is under § 124.401(1) (b) or (c), the court may further lower the minimum eligibility for parole or work release from one-half of the minimum 1/3 to the full 1/3 minimum to serve of the maximum sentence. Iowa Code 124.413(3).

PERSONS SEEKING MEDICAL ASSISTANCE Iowa Code §124.418. Provides protection for use of information derived from report by person’s good faith reporting drug overdose to seek medical attention for another subject to conditions and not applicable to deliver charges unless delivery to victim was sharing of drugs without profit.
Appendix 1

RESTRICTION ON THE REDUCTION OF A MANDATORY MINIMUM SENTENCE Iowa Code § 901.10(2)--A person convicted of an amphetamine or a methamphetamine offense under § 124.401(1)(a) or (b), (i.e., greater than 5 grams), is not eligible for a reduction of the mandatory minimum period of confinement imposed pursuant to § 124.413, unless the person pleads guilty, and then, the mandatory minimum may only be reduced by a maximum of one-third. In addition, if the defendant cooperates with the prosecution of others AND the prosecutor recommends it, the court may reduce the remaining mandatory minimum sentence by up to one-half. If the violation is for § 124.401D, the same applies, but there is apparently no "one half" limit on reduction if the prosecutor requests further reduction.

RECONSIDERATION OF FELONY SENTENCE Iowa Code § 902.4--The District Court retains jurisdiction for a period of ninety (90) days to reconsider a felon's sentence (other than a Class A felony or for which a mandatory minimum is imposed). The Court shall not disclose its decision to reconsider or not to reconsider until the date reconsideration is ordered, or the 90 day period for reconsideration is past. If an individual is sentenced for a violation of § 124.401 and § 124.413, he would not be eligible for reconsideration. State Canas, 571 N.W.2d 20 (Iowa 1997). However, if it is a first offense and the mandatory minimum is not imposed (see above), then the Court may reconsider.

REOPENING OF 99 YEAR SENTENCE Iowa Code § 901.5A--The Court may reopen a 99 year sentence if the prosecutor requests it and the Court finds that the defendant cooperated in the prosecution of others. Any reduction in sentence is based on § 901.10(3). Reopening of the sentence does NOT toll or stay any other proceedings or time deadlines.

COMMITMENT FOR TREATMENT Iowa Code § 124.409--When someone is charged under §124.401 and they consent thereto, or upon a conviction of §124.401, the Court may find that someone is addicted to, dependent upon, or a chronic abuser of controlled substances, and the Court may order commitment for treatment and rehabilitation. If successful at rehabilitation, the Court may remit all or part of the sentence and place the individual on probation.

POSSESSION OF CERTAIN SUBSTANCES WITH INTENT TO MANUFACTURE Iowa Code § 124.401(4)--It is a Class "D" felony to possess the following with the intent to manufacture a controlled substance: ephedrine, pseudoephedrine, ethyl ether, anhydrous ammonia, red phosphorous, lithium, iodine, thionyl chloride, chloroform, palladium, perchloric acid, tetrahydrofuranc, ammonium chloride and magnesium sulfate.

POSSESSION OF A CONTROLLED SUBSTANCE Iowa Code § 124.401(5)--A first offense conviction for possession of any controlled substance (except marijuana) is a serious misdemeanor with a fine of at least $250, but not more than $1,500; in addition, the court may order imprisonment up to one year. Maximum penalty for a first offense conviction for possession of marijuana is imprisonment for 6 months and/or a $1,000 fine. All or part of the sentence may be suspended and the person placed on probation, with conditions that may include participation in a drug treatment, rehabilitation or education program. If first offense, sentence may be deferred. (See § 124.409.) For second and subsequent offenses, see chart on previous page. Aggravated misdemeanors are punishable by a fine of at least $500, but not more than $5,000; in addition, the court may order imprisonment up to two years. A Class "D" Felony is punishable by an indeterminate term of imprisonment of not more than 5 years, and in addition, is punishable by a fine of at least $500, but not more than $7,500.
Appendix 1

**DRUG PARAPHERNALIA** Iowa Code § 124.414--It is a simple misdemeanor for any person to knowingly or intentionally manufacture, deliver, sell, or possess drug paraphernalia. Drug paraphernalia is defined as all equipment, products, or materials of any kind used or attempted to be used in combination with a controlled substance, to knowingly and intentionally and primarily:

1. manufacture a controlled substance;
2. inject, ingest, inhale, or otherwise introduce into the human body a controlled substance;
3. test the strength, effectiveness, or purity of a controlled substance;
4. enhance the effect of a controlled substance. There is an exception for items used with lawful controlled substances and hypodermic needles or syringes used for a lawful purpose.

**DISTRIBUTION TO MINORS** Iowa Code § 124.406

1. If someone greater than or equal to 18 years distributes or possesses with the intent to distribute a Schedule I or II controlled substance to someone less than 18 years, the offense is a Class "B" Felony and the person shall serve a minimum 5 years. If it is a counterfeit or a simulated controlled substance, then no minimum 5 years. However, if the offense occurs within a school or a public recreation zone, and it is a controlled substance (but not a counterfeit or simulated controlled substance) then the person shall serve a minimum 10 years if it is a controlled substance.

2. If someone greater than or equal to 18 years distributes or possesses with the intent to distribute a Schedule III controlled substance (includes a counterfeit or a simulated controlled substance) to someone less than 18 years and there is greater than or equal to 3 years difference, the offense is a Class "C" Felony.

3. If someone greater than or equal to 18 years distributes a Schedule IV or V controlled substance (includes a counterfeit or a simulated controlled substance) to someone less than 18 years and there is greater than or equal to 3 years difference, the offense is an Aggravated Misdemeanor.

4. If someone delivers a controlled substance to another in order to act with, enter into a common scheme or design with, conspire with, or recruit that other person to deliver any Schedule I, II, III, IV, or V controlled substance to someone less than 18 years, the offense is a Class "D" Felony.

5. A court sentencing a person for the first time under § 124.406 may, at its discretion, sentence the person to a term less than provided for by statute if mitigating circumstances exist and those circumstances are stated specifically on the record. (See § 901.10.)

**RECRUITMENT OF MINORS** Iowa Code § 124.406A—If someone greater than or equal to 18 years conspires with or recruits someone less than 18 years to deliver or manufacture a Schedule I through IV controlled substance, the offense is a Class "C" Felony.

**GATHERINGS WHERE CONTROLLED SUBSTANCES UNLAWFULLY USED** Iowa Code § 124.407—It is unlawful for any person to sponsor, promote or aid, or assist in a meeting, gathering, or assemblage with the knowledge or intent that a controlled substance be distributed, used or possessed there. If it is anything other than marijuana, it is a Class "D" Felony. If it is marijuana, it is a Serious Misdemeanor. Injunctions may also be issued.

**DATE RAPE DRUG PENALTIES** Iowa Code § 709.4(3)—It is Sex Abuse in the Third Degree (a Class "C" Felony) when an individual performs a sex act on a person who is under the influence of a controlled substance, including flunitrazepam (Rohypnol), and 1) the controlled substance prevents the victim from consenting, and 2) the accused knows or should reasonably know that the victim is under the influence of the controlled substance.
Appendix 1

**GAMMA-HYDROXYBUTYRATE (GHB)** Iowa Code § 126.27--Unless covered by a legitimate prescription, it is unlawful to possess gamma-hydroxybutyrate (an Aggravated Misdemeanor). Furthermore, it is an Aggravated Misdemeanor to distribute or possess with the intent to distribute gamma-hydroxybutyrate when it is intended to promote its unlawful use, or it is known that the other will use it for unlawful purposes.

**DENIAL OF FEDERAL AND STATE BENEFITS** Iowa Code § 901.5(11)--The Court shall consider 21 U.S.C.A. § 862 (see below), and may order the denial of federal benefits, such as school loans, grants, contracts, professional or commercial licenses. Does not include retirement, welfare, Social Security, health, disability, veterans benefits, public housing, or similar benefits. For any violation of Chapter 124, the Court shall consider the denial of state benefits and may order their denial comparable to the federal benefits. Iowa Code § 901.5(12).

**DENIAL OF FEDERAL BENEFITS TO DRUG TRAFFICKERS AND POSSESSORS**

<table>
<thead>
<tr>
<th>Drug Traffickers</th>
<th>Drug Possessors</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>First Offense</strong></td>
<td>Ineligible for any or all federal benefits up to 5 years</td>
</tr>
<tr>
<td><strong>Second Offense</strong></td>
<td>Ineligible for any or all federal benefits for up to 10 years</td>
</tr>
<tr>
<td><strong>Third or Greater Offense</strong></td>
<td>Permanently ineligible for all federal benefits</td>
</tr>
</tbody>
</table>

**NOTE:** The period of ineligibility referred to above may be suspended if the individual has completed a supervised drug rehabilitation program or otherwise has been rehabilitated. These penalties do not apply to any individual who cooperates or testifies for the government.

**CONTROLLED SUBSTANCE TAX STAMP** Iowa Code Chapter 453B--If certain minimum levels of various controlled substances are possessed, then a tax is due according to the schedule below. If the tax is not paid when first due, there is an immediate 100% penalty also assessed. In addition, it is a Class “D” Felony, punishable by an indeterminate term of imprisonment of not more than 5 years, and in addition, punishable by a fine of at least $500, but not more than $7,500, for failure to properly affix the tax stamp to the controlled substance.

<table>
<thead>
<tr>
<th>Taxable Substance</th>
<th>Unprocessed Marijuana Plants</th>
<th>Processed Marijuana</th>
<th>Other than Marijuana Sold by Weight</th>
<th>Other than Marijuana Sold by Dosage Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Minimum Triggering Amount</strong></td>
<td>1 plant</td>
<td>42 ½ grams</td>
<td>7 grams</td>
<td>10 dosage units</td>
</tr>
<tr>
<td><strong>Tax Rate</strong></td>
<td>$750 per plant</td>
<td>$5 per gram or portion thereof</td>
<td>$250 per gram or portion thereof</td>
<td>$400 per 10 units or portion thereof</td>
</tr>
</tbody>
</table>